the weekly
Standard

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Robert Reich Takes on Bill Clinton

by Andrew Ferguson

he Great GOP Agenda Hunt
RED BARNES • MAJOR GARRETT

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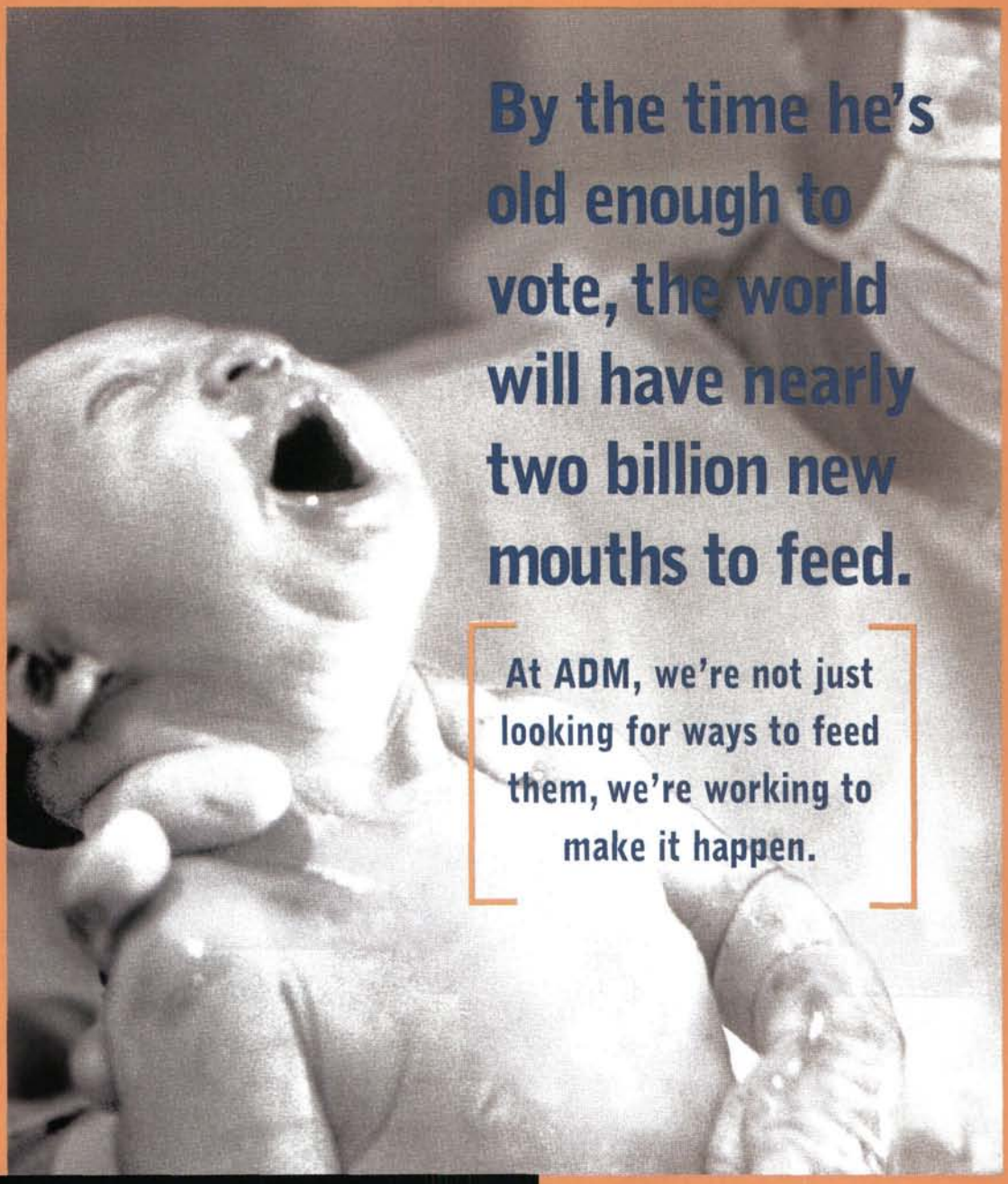

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The Weekly Standard (ISSN 1083-3013) is published weekly, except for the first week of January and the first week of September, by News America Publishing Incorporated, 1211 Avenue of the Americas, New York, NY, 10036. Periodicals postage paid at New York, NY, and at additional mailing offices. Send subscription orders to The Weekly Standard, P.O. Box 96153, Washington, DC 20090-6153. Yearly subscriptions, $79.96; Canadian, $99.96; foreign postage extra. Cover price, $2.95 ($3.50 Canadian). Back issues, $3.50 (includes postage and handling). Subscribers: Please send all remittances, address changes, and subscription inquiries to: The Weekly Standard, Customer Service, P.O. Box 710, Radnor, PA 19088-0710. If possible include your latest magazine mailing label. Allow 3 to 5 weeks for arrival of first copy and address changes. For subscription customer service, call 1-800-983-7600. Send manuscripts and letters to the editor to The Weekly Standard, 1150 17th Street, N.W., Suite 505, Washington, DC 20036-4617. Unsolicited manuscripts must be accompanied by a stamped, self-addressed envelope. The Weekly Standard Advertising Sales Office in Washington, DC, is (202) 293-4900. Advertising Production: call Natalie Harwood, (610) 293-8540. Postmaster: Send address changes to The Weekly Standard, P.O. Box 930, Radnor, PA 19088-0930. Copyright 1996, News America Publishing Incorporated. All rights reserved. No material in The Weekly Standard may be reprinted without permission of the copyright owner. The Weekly Standard is a trademark of News America Publishing Incorporated.

The Audit Bureau Member

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THE *NEW YORK TIMES* TELLS THE TRUTH—OOPS

Last Thursday's *New York Times* featured a pompous ad in favor of "diversity" in college admissions signed by the presidents of 62 universities. The ad covered most of the page. Down the single remaining column there was a short news article about the ad, a basically friendly write-up of the efforts of America's top universities to prop up affirmative action against the likes of California's voters and the Fifth U.S. Circuit Court of Appeals, both of which have recently endorsed the principles of colorblindness and equal opportunity in higher education.

62 Top Colleges Endorse Bias In Admissions

By KAREN W. ARENSON

In an unusual policy statement on the value of diversity in higher education, the Association of American Universities, a prestigious circle of 62 of the nation's leading research

All of this was just in a day's work at the *Times*; it was the headline on the article that was stunning: "62 Top Colleges Endorse Bias In Admissions."

The next morning's *Times* brought an Editors' Note, calling this headline "an editing error." The note went on to assert that "'Bias,' as a term for affirmative action, was neither impartial nor accurate. It should not have appeared." Here, instead, is how whoever wrote the Editors' Note described what it was that the universities endorsed in their ad: "the right of colleges to use affirmative action in their admissions procedures to achieve diversity."

Unlike this gooey euphemism, the headline had two merits: It was true, and it fit within the narrow confines of that single column. It's not clear whether either of these criteria motivated the anonymous headline writer. Perhaps he or she wanted to avoid using the word "quotas," which also would have been true and would have fit in the headline space.

What is clear is that, at the *Times*, cutting through liberal cant about "diversity" and "affirmative action" won't be tolerated.

TELEMARKETING BY TED

Senate Republicans picked up two seats last year, which was supposed to make the institution ever more conservative. But the only senator of either party who seems to be on offense is Ted Kennedy, who has returned this session with legislation ostensibly designed to provide health care for uninsured children. The bill is riddled with shortcomings, but Kennedy has managed to find some Republican sponsors, including his longtime best buddy from across the aisle, Orrin Hatch.

It now turns out that the bill is not only about children and their health: It's also about fund-raising for Ted Kennedy. He and an affiliated group, the Committee for a Democratic Majority, are trolling for money by touting the bill and their need to publicize its virtues. We've obtained the telemarketers' script.

It starts, as these things always do, by lavishly praising Kennedy's "landmark legislation"—legislation that not only proposes funding health-insurance coverage for over 5 million children, but takes a courageous stand against smoking by children and also will help children grow up to lead long, healthy lives. From there, it's on to Sen. Kennedy's need for money—and the 15 different scripts for keeping busy people on the line until they cough up $150. For instance, "If they tell you they are not interested immediately after you have delivered the opening presentation," the script instructs the telemarketer to up the ante. Instead of 5 million children, say that "without this legislation, close to *10* million children will go without health coverage, risking great physical harm."

And in the event someone says he simply can't afford $150, there's a backup plan: "I certainly understand how you feel, and believe me you are not in a unique situation. . . . I have spoken with several people tonight who care as much as you do and are also experiencing difficult times right now." Then ask again.

We can understand why Kennedy is doing this. But what do his Republican co-sponsors get out of the deal?

BROWN BOMBS

Okay, it's hard not to snicker when uttering the words Brown University and athletics in the same breath. But after being sued for discriminating against women in its athletic programs, the Ivy League school better known for pasty-faced left-wing self-discovery than for its exploits on the playing field has litigated an important conservative principle all the way to the Supreme Court. Brown maintained that the federal law barring sex discrimination by schools requires schools to provide equal *opportunities*, not equal *outcomes*. If more men than women want to be on sports teams, that's their choice.

Brown's opponents, including the Clinton Justice and Education departments, claimed that the prohibition on sex discrimination is a radically egalitarian one: Brown

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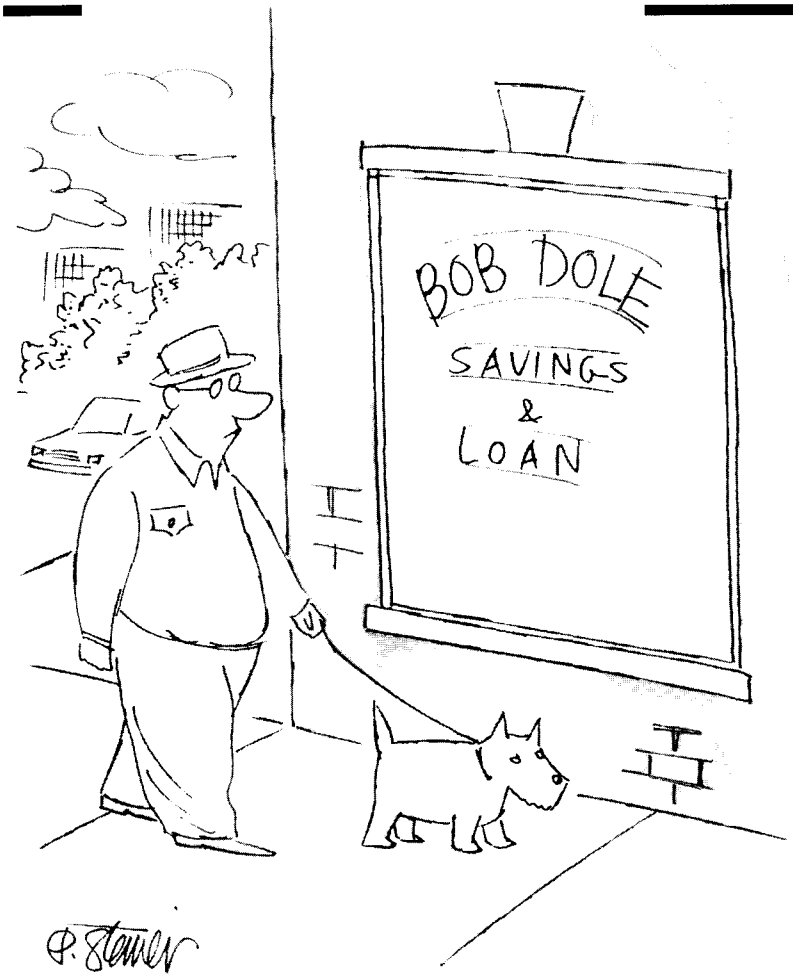

must see to it not just that opportunities are equal, but that participation is, too.

Well, Brown lost big—to the dismay of the more than 60 major universities that backed it as well as a coalition of conservatives including 49 Republican congressmen.

The case started when Brown cut funding for men's water polo and golf in 1991—an ordinary budget decision. Its mistake was in simultaneously cutting university funds for women's gymnastics and volleyball. In the memorable analogy of a spokeswoman for the aggrieved gymnasts, "You have two people. One of them is obese and the other is anorexic. If you order both of them to lose 20 pounds, is that fair?" Nope, said several federal courts. As the First U.S. Circuit Court of Appeals put it, "Women, given the opportunity, will naturally participate in numbers equal to men"; that they were not doing so at Brown, where only 38 percent of student athletes were women, meant the school was not meeting its obligations.

This is a species of egalitarian extremism, but it won't do to blame the courts. After all, it was Congress in 1972 that passed Title IX mandating this "equal" treatment. Which raises the question: Why don't those 49 members of Congress cut out the middle man and *rewrite* Title IX? Congress wrote it in the first place; it can amend it or rewrite it whenever the members choose. This is precisely what a Democratic Congress did with the civil rights law in 1991, unhappy with a couple of Supreme Court decisions that didn't agree with their interpretation of the relevant statutes. A Republican Congress with the courage of its convictions will start writing new statutes instead of amicus briefs.

The Arts Machine II

Here's another good reason to abolish the National Endowment for the Arts: It's not endowing art, it's endowing fellow bureaucracies. Besides its social-work initiatives described here last week, the NEA is funding numerous "education programs," including the sort of intra-federal log-rolling that should raise red flags at budget time. Do we really need a federal arts agency to fund the U.S. Department of Education? That's what the NEA is doing with an initiative that offers up to $108,000 in matching funds for the department's Creative Partnerships for Prevention, "a drug and violence prevention program for youth using the arts and humanities." The Education Department, by the way, already has a $9 million allotment of its own for arts education. The program, aptly titled "Arts in Education," funds the education program at the Kennedy Center, encourages support for art in school curriculums, and much else besides. Clearly, the NEA hopes to perpetuate itself as another patronage-dispensing federal agency. What congressman wants to kill funding for the arts when it goes to schools in his district?

Here's a modest proposal. How about let's axe the NEA and convert the whole government into different kinds of arts organizations. The Pentagon, for example, could become the Art of War department. Congress itself might be rechristened the National Endowment for the Art of Avoiding Responsibility.

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Casual

The Magic of Flight

My father, who had only, and numerous, daughters, could be wistful. Once, staring off into the sky, he said, "*I wish* someone would ask me what kind of a plane that is."

I wish he had lived to know his grandson Tom.

I'm just back from visiting Tom in Florida, where the Navy is training him to be an aviator. He recently finished courses in aerodynamics, engines, meteorology, and navigation, and now he has a few weeks off before starting the next phase. Tom, his sister Hilary, and I spent three days touring and talking.

For me, the trip uncovered a whole new world: secondarily, a southern world of palm trees and live oaks, of white-sand coastal islands alive with pelicans and black-headed gulls; primarily, a world of strong, sober, skilled young men and their marvelous machines.

For the first two days, the machine at center stage was Tom's Mustang. He bought it last summer when he got out of college with a loan from the Navy. It's a fully restored 1970 medium-blue-metallic convertible, and I could tell from the reactions of passers-by that it's a real prize.

Tom handles it with liquid smoothness, so that after the first unaccustomed moment you don't notice the lack of a seatbelt. He takes care of it, too. After our sandy beach outings, he meticulously hosed it down.

Our first day, we drove to Fort Pickens, which guarded the entrance to Pensacola Bay for a century, until its fixed-artillery defenses became obsolete. We saw impressive antebellum brickwork and the place where Geronimo and scores of braves once were imprisoned.

Then we drove east along miles of unobstructed seashore, followed by miles of serried beach houses and condos. I took advantage of the chance to get Tom's advice about replacing my own profoundly undistinguished car. He asked me how much I wanted to spend. I made a little speech about all the competing demands on my limited funds, all the household repairs and improvements I have in mind, and there followed a silence. Then Tom said, "Mom, have you ever heard of a book called *Men Are from Mars, Women Are from Venus*?"

On the second day, we went west, across Alabama and into Mississippi. Our destination was the museum in Ocean Springs dedicated to Walter Anderson, who brilliantly painted the creatures of this shore. Later, on the far side of Biloxi, we took in Beauvoir, final home of Jefferson Davis. In the Confederate cemetery there, a stone marker affirms: "No nation rose so white and fair,/None fell so pure of crime."

We listened to Wilson Pickett's "Mustang Sally" speeding back toward Pensacola in the dark.

But on the third day, the climax of the trip, Tom's lovely car was upstaged. He took us to the base where he trains. Uniforms suddenly were everywhere, and in the background, planes taking off. Every time one did, Tom would say as if by reflex, "Sound o' freedom."

He took us to the National Museum of Naval Aviation, and at last here were planes up close—gorgeous, mighty contraptions in all shapes and sizes. The huge, fat-bellied, seagoing biplane that was the first to fly the Atlantic, in 1919, was there, and fierce green Huey helicopters from Vietnam; round-edged World War II planes evocative of Bogart; and the arrowlike F-14 Tomcat that Tom is teaching me to respect for its long reign as the finest jet fighter in the world.

But it took the IMAX movie *The Magic of Flight* to stun us with the drama of aviation.

The movie is a paean to flight in general and the Blue Angels, the Navy's famous stunt team, in particular. The Blue Angels are based at Pensacola, and the film juxtaposes heart-stopping footage of their exploits with shots of Gulf birds flying. It also captures the pilots' professional pride. They are regular Navy jet pilots, assigned to the Blues for two-year tours. Their rigorous training is not so different from that required of everyday naval aviators who routinely perform the impossible feat of carrier takeoffs and landings.

That night, back in Gulf Breeze, Hilary and I made flank steak and strawberry shortcake for Tom and his housemates, three handsome fellow pilots-to-be. After dinner, we climbed onto the roof for a view of the Hale-Bopp comet. The boys pointed out stars and constellations, as if rehearsing their beginner's knowledge of the heavens they will soon inhabit.

Shortly, the four of them are moving to Corpus Christi, where they will start to fly. I'm glad Tom is going there. My father was from Texas, and I want his grandson to know the distinctive culture of that great state.

As for me, nothing I brought home from Florida pleases me more than the knowledge that the plane Tom will begin training in is a T34C Mentor. It's a small, neat plane painted orange and white, with one propeller, and if I get to spend any time with the guys down in Corpus, I'm confident I can learn to recognize one in the sky.

Claudia Winkler

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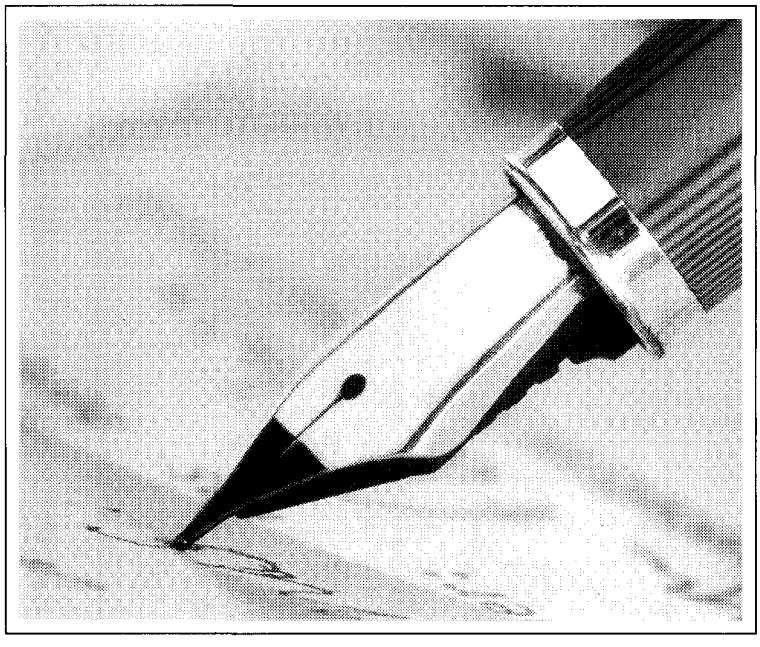

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*"Long Distance Public Benefits from Increased Competition," Robert Hall, 1995, updated 1997.

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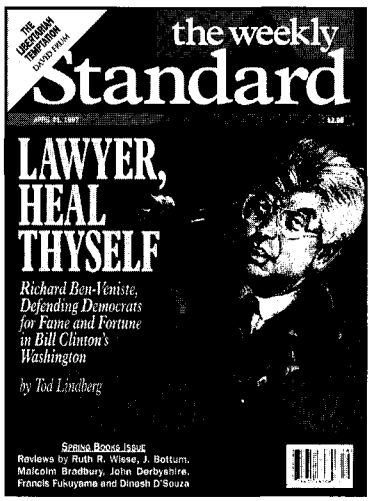
No Healing for This Lawyer

Regarding Tod Lindberg's "Lawyer, Heal Thyself" (April 21): The Senate Whitewater Committee's failure to follow up on Webb Hubbell's relationship with the Lippo Group was not the result of any effort to shut down the inquiry. Republican special counsel Michael Chertoff raised the Lippo employment issue with Webster Hubbell for the first time at the very end of an eight-hour marathon hearing on Feb. 7, 1996. Chairman D'Amato told the staff that if further inquiry on this subject were to be conducted, it would be through deposition discovery to determine possible relevance to the committee's inquiry. If the Republicans thought Hubbell/Lippo was a pertinent line of inquiry, they gave no sign of it. Despite the fact that the majority issued close to 100 subpoenas and written requests for documents and information from Feb. 7 to June 6, 1996, not one dealt with Lippo or Hubbell's employment. The next time the matter surfaced was in June, days before the committee's final report was due.

All of the questions put to Bruce Lindsey about Hubbell were answered. The record will show that my objections on relevancy were an attempt to get the deposition focused on a procedural matter raised in a letter to the committee by independent counsel Kenneth Starr. That accomplished, I left the deposition. Nowhere in the 391-page Majority Final Report is a single mention of Lippo or Hubbell's post-Justice Department employment, nor was there any such mention in the 21-page referral on Hubbell made to the independent counsel.

Lindberg's second point is an effort to run me off from representing former DNC finance chair Truman Arnold. He cites a provision in the D.C. Bar Code of Professional Responsibility promulgated to protect against the misuse of confidential information obtained in government service in representing a client in a subsequent private representation. Truman Arnold's name never came up during the Whitewater investigation, and I never knew of his existence before a *Time* magazine article about campaign finance piqued the interest of a House subcommittee, leading Arnold to seek my assistance. Because of the entirely collateral nature of the inquiry about Hubbell and Lippo, my fleeting involvement only in the context of the Lindsey deposition, and Arnold's total lack of involvement in any aspect of the matters before the Whitewater Committee, no honest argument can be made that my representation of Arnold transgresses professional guidelines.

And even a simple check of the hearing transcript would have corrected Lindberg's assertion that I "forced" Whitewater witness Jean Lewis to repeat derogatory remarks Lewis made about her family. After Lewis admitted she had made disparaging remarks about then-Governor Clinton prior to



her investigation of Madison Guaranty, I turned to another subject. It was the Republicans who brought out the comments she had made about her family member.

Lindberg's lengthy piece leaves no stone unturned—from a perceived grammatic error in a book I co-authored 20 years ago (ouch!) to my actually charging fees for the legal representation of Democrats (one would think he would applaud such punishment.) But the item that shows how hard Lindberg was scratching to make something out of nothing is his loopy argument that the Watergate prosecutors who secreted investigative documents in anticipation of Nixon's attempt to derail the Watergate investigation through the Saturday Night Massacre were in fact the ones who obstructed justice.

RICHARD BEN-VENISTE
WASHINGTON, DC

TOD LINDBERG RESPONDS: ***Richard Ben-Veniste's letter offers little information and much spin. Really, he should not understate his achievements so.***

The question of Lippo payments to Hubbell was not "collateral"; it was paydirt, as the headlines of recent months indicate. In page after page of deposition transcript (hardly "fleeting involvement"), Ben-Veniste sought to prevent Bruce Lindsey from answering questions on the subject. Ben-Veniste did a pretty good job. He didn't get the ruling he wanted—no questions on payments to Hubbell—but his efforts did limit the GOP to four questions, the responses to which were significant, but hardly the whole story. Who knows where a broader inquiry into payments to Hubbell would have led?

Actually, we're now getting an idea. It would have led to, among others, Truman Arnold, whom Richard Ben-Veniste now represents. As for Jean Lewis, at a televised hearing Ben-Veniste sprung on her a quotation from a letter that Democratic Whitewater committee staff had somehow undeleted from a computer disk Lewis gave them, and now Ben-Veniste blames Republicans for having given Lewis an opportunity at least to explain the quotation's context. Charming.

Conservative Alliances

It is certainly flattering to find myself described as a latter-day John Stuart Mill, as David Frum did in "The Libertarian Temptation" (April 21), but the comparison isn't apt. Classical liberals have learned a lot since Mill's time, and few of us would pursue his suggestion that eccentrics be insulated from criticism or other unpleasant consequences. Contrary to Frum's portrayal, therefore, I in no way want to stop people from criticizing behavior, products, or ideas of which they disapprove. I view both "eccentricity" (new ideas) and criticism as part of a dynamic process of trial-and-error learning, in which many visions of the good life are tested and often coexist.

Traditionalists such as Frum like to kid themselves about the popularity of their views, suggesting that a social consensus would favor their cause and that it is therefore frivolous or decadent to

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support dissenters' rights. That is simply not the case. Back in 1987, I was the first journalist to write about Evelyn Smith, a Chico, California, landlady whose religious convictions led her to refuse to rent to unmarried couples. Smith's belief that such a commercial transaction would be a sin on her part is not held by most Americans. "Society" maintains that such discrimination is wrong, and Smith's contrary opinion is so "eccentric" as to be illegal in California. Her case is now before the U.S. Supreme Court.

Like Frum, I suspect that having a much smaller government would reinforce certain conservative virtues, such as thrift, and deter certain vices, such as teen pregnancy. It would allow social conservatives the freedom to express their convictions not only through speech but through action, hence promoting the moral ostracism Frum supports. It would foster the competition and feedback that produce trends and countertrends—conservative and otherwise—in mores and popular culture. But such competition will only rarely generate a social consensus, and even such rare agreement may not be to traditionalist tastes. On many matters, a libertarian regime would simply let social conservatives create their own enclaves within the broader, less traditional society.

I am happy to form political alliances with conservatives who are working to shrink government. And I will vigorously defend out-of-the-mainstream traditionalists who want the right to condemn what they see as "bad choices." Unlike some of my more tactful libertarian friends, however, I can't bring myself to hint that we are actually working for a uniformly conservative world in which *Pulp Fiction* will not exist, Tin Pan Alley will replace rock, and gays will get back in the closet. We aren't trying to rig those or any other outcomes. We believe in competition. If that makes us liberals, well, we are.

VIRGINIA L. POSTREL
EDITOR, *REASON*
LOS ANGELES, CA

The fragile peace between libertarians and conservatives has indeed deteriorated in recent years, but the reason should be clear. Since Republicans took over Congress in 1994, they have not eliminated even a single cabinet department—not even a no-brainer program like Americorps or the National Endowment for the Arts. Is it any wonder that libertarian John Kasich turned to progressive Ralph Nader to go after corporate welfare?

I understand why conservatives (who like to cut taxes) would need libertarians (who love to cut spending), but why would libertarians need conservatives if they will not reduce the size of government? If conservatives want to use government as an instrument to enforce morality, at least they could let us keep our own money while they're doing it.

DOUGLAS E. MCNEIL
BALTIMORE, MD

As a libertarian social conservative, I agree wholeheartedly with David Frum that libertarians and social conservatives need each other. The problem is that some in both camps want to achieve their goals too fast. Liberalism did not get us into this mess all at once; it was a result of incrementalism. Libertarians and social conservatives need to hang tight in the struggle to bring back limited government.

As the coercive bureaucracy is whittled away, individuals and the organizations they freely join are strengthened. A virtuous society should be built by these means. A virtuous society can be achieved only in a free society.

JIM RONGSTAD
WOODBURY, MN

GOP WELL: DEEP AND WIDE

Your Scrapbook's "The GOP Well Runs Dry" (April 21) claims GOP fund-raising "is suffering badly." Fund-raising numbers are not a matter of spin or opinion. They are filed with the Federal Election Commission and are wide open to public scrutiny. And fund-raising at the National Republican Senatorial Committee is on fire, in part because of voter outrage over the illegal-foreign-cash scandal swirling around Motel 1600.

During the first three months of this year, the National Republican Senatorial Committee raised more than we did during the same time in the last two election cycles. In the first quarter of 1993 we raised $5.7 million. In the first quarter of 1995 we raised $6.8 million. In the first quarter of 1997 we raised $7.2 million.

Most importantly, our grass-roots fund-raising has led the way. Our direct-mail responses are actually higher this year than in the last presidential election year. The cause is clear. Grass-roots fund-raising is greener this year than ever before, because the grass roots are tired of the type of fertilizer Bill Clinton has been spreading on them. I urge you to check our actual fund-raising records next time, instead of relying on vague (and incorrect) pronouncements by "knowledgeable" Republican sources.

STEVEN LAW
NATIONAL REPUBLICAN
SENATORIAL COMMITTEE
WASHINGTON, DC

A GUILTY SUBSCRIBER

I have subscribed to your magazine for over a year, and I have enjoyed each issue. As an inmate of the Texas Department of Criminal Justice-ID, I have just discovered that THE WEEKLY STANDARD is not on the approved reading list for inmates. This is news to me because I have been reading it during the entire time of my incarceration.

I am serving time for a crime that I am guilty of, and as a general rule I have nothing against punishment in this country. But you should know that if an inmate in Texas wants to read your magazine, he has to wait three to four weeks while each issue is reviewed by the administration. Whereas, if I wanted any number of smut magazines, they would be sent right through.

RONALD A. SCHULTZ
TENNESSEE COLONY, TX

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the weekly Standard

A New Direction on Tobacco Road

Three of the most despised subcultures in American life are engaged in intensive negotiations to settle the tobacco war. Each group brings a legacy of profound dishonesty to the table.

First, you've got the cigarette industry, whose product puts the average customer in a coffin half a decade or more before his time. Most tobacco executives still officially deny such facts. The president of R.J. Reynolds Tobacco, for instance, recently gave a trial deposition in which he claimed that cigarettes are no more dangerous than many dietary staples. He cited "British research on carrots."

Joining the industry executives are tort lawyers, a well-heeled consortium of whom has besieged the tobacco companies with class-action litigation for a decade. In and out of court, the lawyers argue that Big Tobacco's failure to acknowledge health risks has hoodwinked smokers into deadly addiction and that cigarette marketing practices have kept them there. This is a lie. There's hardly a smoker still alive in this country, certainly none under the age of 60, who took his first puff unaware that it might be bad for his health. As early as 1952, 40 percent of Americans already believed smoking directly caused cancer. By the 1960s, especially after the surgeon general's report and the warning labels it inspired, that number had almost doubled. The idea that smokers are unwitting "victims" who do not bear the bulk of responsibility for whatever illnesses they contract is, put plainly, dumb. As is the idea that they are powerless before nicotine and Joe Camel. Quitting is tough, but it's far from impossible; millions have done it, and ex-smokers now outnumber smokers in the United States.

Also at the table are politicians, specifically state attorneys general. Since 1994, more than 20 of them have filed suit against the tobacco industry. They are in league with the anti-tobacco lawyers, and they have appropriated the relevant party line. But the AGs have added a twist: They seek monetary "societal" damages on behalf of their citizens, smokers and non-smokers alike. Because public health programs treat cancer- and emphysema-afflicted smokers, the AGs allege, tobacco is a multi-billion-dollar drain on their treasuries.

Credit the AGs for ingenuity: This is rather like suing the Mafia to recover police and prison costs. But it's based on miserable economics. Over a lifetime, smokers pay vastly more taxes than non-smokers do: an average of almost 60 cents a pack nationwide. And because they die earlier, they absorb billions *fewer* dollars in public pension and retirement benefits. A third of active smokers die before ever receiving a dime of Social Security, for example.

Net it all out—as careful analysts have repeatedly done at the RAND Corporation, the Congressional Research Service, and elsewhere—and smoking actually saves "society" money. So much money, in fact, that economist W. Kip Viscusi has joked that cigarettes "should be subsidized rather than taxed."

Given all the obvious sophistry involved in this dispute, why should anyone expect the sophists to strike a deal worthy of public attention and embrace? Few do; critics on the right and left are already lining up to complain about any forthcoming "grand compromise." But wait. From mixed and impure motives, sometimes good things come. And from what's been reported about the tobacco negotiations so far, there's reason to hope this might be one of those times.

Trial lawyers are more addicted to money than any smoker is to nicotine. The 100-plus law firms around the country pursuing cigarette damage claims are all working on a contingency-fee basis. They haven't been paid yet. They want to be. And since no damage award in an American tobacco lawsuit has ever been upheld on appeal, plaintiffs' attorneys have every reason to prefer a macro-settlement. Their share of this one, according to the newspapers, might total $360 million a year. The state attorneys general have a comparable incentive to bargain. It's by no means likely that their ludicrous "social-costs" argument will prevail in court. If the AGs settle, they will be able to claim that they faced down the modern merchants of death and earned their states some cash. These are politicians, remember. Several will be running for governor in 1998.

And what about the tobacco companies? They are more eager for a deal than anyone. Their stock prices are significantly deflated by investor uncertainty over

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future legal judgments, and they spend hundreds of millions of dollars more each year on attorneys' fees. So, led by R. J. Reynolds and Philip Morris, they now seem prepared to offer a truly astonishing array of concessions long sought by anti-smoking activists.

By all accounts, tobacco companies will accept a total ban on outdoor advertising, a total ban on print advertising depicting human or cartoon characters (like Joe Camel), a total ban on "product placement" advertising in movies and on television, and a total ban on cigarette sponsorship of sporting events. They will accept a ban on vending-machine sales. They will fully disclose the chemical additives in cigarettes. They will accept independent state and local restrictions—beyond anything the federal government might impose—on tobacco marketing. They will even accept federal regulation of nicotine by the Food and Drug Administration, though they have so far fought that Clinton administration policy in court.

In return for all this—and a $300 billion payment to "compensate" the states and settle individual damage claims—tobacco executives want some serious form of immunity from past and future liability.

The whole plan may yet fall apart, of course. The market adjustments it implies involve major questions of antitrust law. The advertising bans involve major questions of First Amendment law. The overall trial lawyers' lobby, most of whose members are *not* participating in the negotiations, will oppose any settlement that limits the bar's future ability to sue. States will squabble among themselves over how the money is administered—and which of them will get what share. The legislation necessary to enact such a plan in the first place will be almost impossibly complicated.

And these are mere details. It's the centerpiece of the deal, the trade of cash for immunity, that's getting people hot and bothered. Many smoking opponents cannot abide any arrangement that tobacco companies *can* abide, almost as a matter of pure philosophy. "The focus should be on public health and kids," former surgeon general C. Everett Koop warns. "That shouldn't be tied to the money issues and the legal issues." Conservatives and economic purists don't like the $300 billion compensation fund. Its costs will be passed along to current smokers, who will thus be penalized for making an informed choice to continue endangering their own lives. And the fund will benefit ex-smokers and their families, thus preserving the fiction that tobacco "victimizes" people.

Some of these complaints have merit, especially where victimization is concerned. In an era of flight from personal responsibility, there can be no worse message than that adults are somehow the hypnotized playthings of a clique of dope pushers. And this is not only because people can quit if they are concerned about the health risks of cigarettes. It is because, despite the efforts of smoking opponents to draw the parallel, cigarettes are *not* the moral, spiritual, or public-policy equivalent of any illegal drug. Their effect on people's characters and souls is entirely benign, even if their effect on people's respiratory systems is not.

Even so, we cannot escape the times we live in, and at the moment, the deal being discussed seems, amazingly, a good and fair one. To pay for its offered "reparations," the tobacco industry will raise cigarette prices by somewhere between 25 and 50 cents a pack. That will reduce nationwide demand for cigarettes by 6 to 11 percent. It will reduce demand by young people, who are the most price-sensitive share of the tobacco market, most of all. And it will strike a blow *for* adult responsibility that more than offsets any "victimization" nonsense implied by compensation. Cigarette smoking, like any drug taking, spreads from user to user. It is the example of adult smokers, more than the encouragement of any cartoon camel, that makes new, youthful smokers possible. Why should smokers not pay more for their vice? It does harm to others—not as immediately, but almost as surely.

Fewer smokers. An end to a litigation machine built on specious arguments that corrupt public discourse and damage public policy. When all is said and done, such a deal on cigarettes might prove to be a pretty good deal for all of us.

—David Tell, for the Editors

Tough Love for Newt

by Fred Barnes

Over dinner with friends the evening before he announced how he was going to pay his $300,000 ethics bill, Newt Gingrich argued strenuously with Vin Weber, his former colleague. The day before, Weber had seen a TV interview in which Charles Grassley, the Republican senator from Iowa, criticized attorney general Janet Reno for refusing to seek a special prosecutor in the White House fund-raising scandal. Rough as he was on Reno, Grassley insisted he wouldn't go as far as Gingrich had when he said Reno's action "was something you might have expected from John Mitchell in

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1973, but it's very sad to see Janet Reno doing it in 1997." Gingrich's penchant for personal attacks was demonstrably unhelpful, Weber told Gingrich. It allows other Republicans to dismiss his words out of hand and contributes to the public image of Gingrich as extreme and out of control. And that image is not appropriate for a House speaker, Weber maintained.

For two hours, Gingrich resisted, but in the end, he agreed he ought to refrain from personal attacks. Count it as a lesson learned, for now at least.

This is one of the behavioral changes Gingrich has vowed to make, mostly at the insistence of what Rep. Bill Paxon of New York calls Gingrich's "tough-love team"—majority leader Dick Armey, whip Tom DeLay, Rep. John Linder of Georgia, and Paxon. The other changes? Gingrich has promised not to talk publicly about the details of GOP strategy and tactics. Rather, says Paxon, he'll stick to "the big overview" and seek to appear more a visionary and less a schemer. And he'll try to make bread-and-butter Republican issues the chief issue in Congress—not Newt Gingrich.

Nor is this all. Gingrich used to deliver speeches merely by reading a one-page description of his audience and a few clips about issues they cared about in the car on the way to the event—leading to the sort of improvisation that gets him in trouble. Now he means to read speeches from texts. He is also sharply limiting his public appearances. He turned down *This Week* on ABC on April 27, a hard call for a guy who loves to hold forth on TV. And in order to quiet objections that he received a sweetheart loan from Bob Dole, Gingrich will also begin making payments on the $300,000 soon.

All that is the *easy* stuff on Gingrich's road to recovery. The hard part is regaining the allegiance of House Republicans and enacting key elements of the Republican agenda. Gingrich has conferred privately with the noisiest GOP renegades, and some have come around. Rep. Matt Salmon of Arizona issued a press release that declared: "Newt Gingrich has begun to exhibit the strength of leadership that made him speaker in the first place." Rep. Joe Scarborough of Florida said Gingrich's decision to pay his ethics bill out of personal funds "increases his stature tenfold." Rep. Mark Neumann said it "sounds like the old Newt's back."

"Why does the United States have a quota limiting imports of sugar?"

FLO SUN SUGAR

In most foreign countries sugar production is heavily subsidized therefore removing any possibility of financial loss.

With the subsidy in hand, the foreign farmers and governments "dump" their surplus sugar supply at below their production costs on the world market.

The quota basically protects the American Sugar farmers from the unfair competition of heavily subsidized foreign sugar farmers. It is a system that levels the playing field.

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But rhetoric isn't sufficient. "His speeches are back on track," says Rep. David McIntosh, who represents the sophomore class at GOP leadership meetings. "So is his public posture. The deeper question is whether we are going to see action that backs up the speeches."

Here Gingrich has two problems. One is that Republicans don't have much of an agenda. The other is that many Republicans still believe they can make revolutionary changes quickly in shrinking the role of government and slashing taxes. With a slim GOP margin in Congress and a Democratic president, that can't happen. So what's needed is for Gingrich to redefine victory in more realistic terms.

"He's got to educate his troops," says Weber, and Gingrich has already started. In a budget deal with President Clinton, the speaker says Republicans can achieve "a significant reduction in all government spending, . . . pretty good tax reduction, . . . [and] a stronger defense than liberals will want." But they'll have to accept "slightly higher discretionary spending" in the agreement. These are not the ingredients of a deal likely to thrill self-styled revolutionaries.

Gingrich faces an immediate budget test in May with a supplemental spending bill (to cover flood aid, Bosnia, etc.). He favors attaching a continuing resolution to keep the government operating in case there's no budget deal. If Gingrich doesn't get the continuing resolution, Republicans will be disappointed in him. Where he may have the most clout, however, is foreign policy. I can't think of a House speaker in modern times who influenced foreign policy, but that is Gingrich's aim. He recognizes what he calls "a heartbreaking vacuum" in foreign policy leadership and realizes that his own fame means his views will get attention worldwide. They did on his trip to China this spring and will again when he outlines his views, especially on China, in a speech this week.

Gingrich believes Clinton's foreign policy lacks seriousness of purpose. On China, he says, "we should have a very aggressive, pro-freedom position." That means signaling the Chinese people that we take them seriously and want to work with them, while "arguing with the Chinese dictators." The U.S., Gingrich says, must be careful "not to turn Chinese nationalism into anti-Americanism. Then it becomes anti-democratic."

In his speech, Gingrich will argue for renewal of most-favored-nation trade status for China, despite conservative opposition to MFN. "It's not the right tool," he says, to force China to make concessions on human rights and trade. But he wants to limit the extension to six months, not one year, "sending the signal" to the Chinese that what they do in Hong Kong after the July 1 takeover will affect the relationship with the United States. And, he says, China should get no special treatment in its effort to join the World Trade Organization.

Gingrich also wants Clinton to consider cancelling Chinese president Jiang Zemin's visit to America later this year and the president's own trip to China in 1998. The exchange of visits is "a great boon for the Chinese dictatorship," the speaker says. "If the administration wanted to send a powerful signal to China," changing these plans would do it.

A good budget deal and a strong foreign policy presence would restore Gingrich's power, and his goal remains to be speaker through 2002. Will he make it? "He's pretty good when he's down," says Weber. "His problems come when he's doing well." That's when, in the words of another adviser, he "gets cocky and cranks one off. He's at his most dangerous when he's riding high." Gingrich isn't there yet. But if he does manage to ride high once again, it will be because he has managed to keep quiet about it.

Executive editor Fred Barnes appears weekly on* Fox on Politics *on the Fox News Channel.

The Rent-Control Wars

by William Tucker

On April 11 in Saratoga Springs, N.Y., someone started a fire in the building that houses the offices of New York State Senate majority leader Joseph Bruno. A few hours after it was extinguished, someone started another. A shaken Bruno—already under armed guard because of death threats—vowed he would not be intimidated. Bruno is under literal attack for having the courage to challenge America's most famous experiment with socialism—New York City rent control. In December, Bruno announced he wanted a two-year phase-out of rent regulations with exemptions only for the poor, the elderly, and the handicapped. This is the same method Boston used to shed rent control after 25 years.

Bruno is in a strong position to make this demand. As head of a six-seat Republican majority, he can simply allow the rent laws to expire on June 15. The law is

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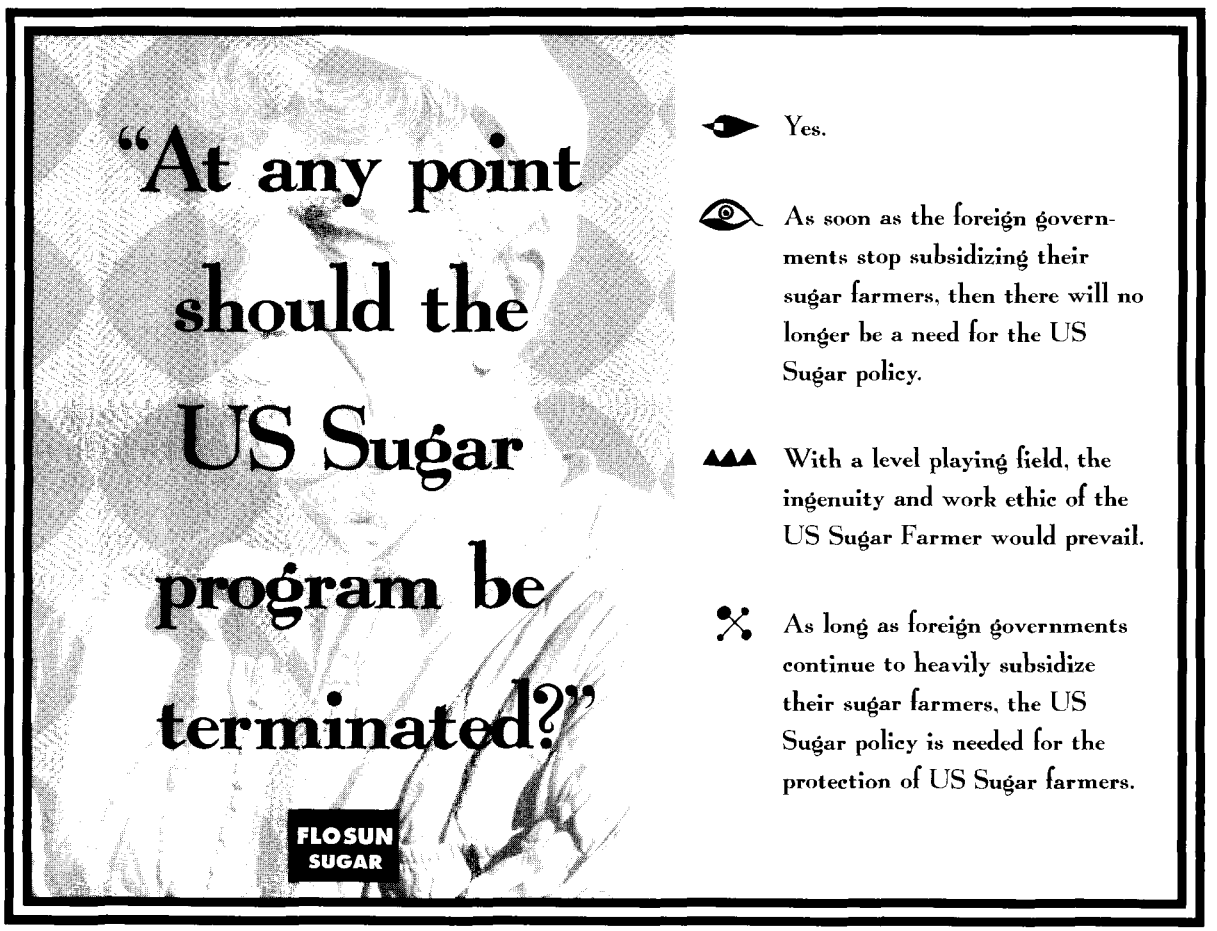
renewed every three years under the pleasant fiction that the housing shortage created by rent control is only temporary and may someday go away. Bruno wields enormous influence, with veto power over every little can of pork, which is the average legislator's main reason for being in Albany.

So far, Democratic Assembly leader Sheldon Silver has said he will settle for nothing less than a permanent extension of rent regulations. But with a vaguely sympathetic George Pataki in the governor's mansion, Bruno stands a strong chance of carrying through his threat.

All this is happening at an opportune moment, with rent control in retreat almost everywhere across the country. In 1994, property owners in Massachusetts's three rent-controlled cities—Boston, Cambridge, and Brookline—gathered 70,000 signatures to put a constitutional amendment banning rent control on the state ballot. The landlords argued effectively that rent control was destroying the property-tax base in the three cities, and that taxpayers throughout the state were making up the difference through a complex property-tax-sharing formula. The initiative won by a 51-49 percent margin. Landlords agreed to a two-year phase-out, and the last controls were lifted on January 1. The predicted mass displacement of tenants has failed to materialize. "Frankly, we're a little surprised at how smoothly everything has gone," says Pat Canavan, the Boston mayor's special adviser on housing.

In California, the state courts finally intervened in 1992 and ordered a one-time, 33 percent rent increase on all controlled apartments in Berkeley, which had one of the most draconic rent-control ordinances in the nation. The California legislature has since adopted statewide vacancy decontrol, which frees apartments from regulation as they become vacant. The process may take 20 years, and San Francisco, San Jose, Santa Monica, and Berkeley still suffer severe housing shortages due to rent control. But at least the direction is clear.

What have 50 years of rent regulations done to New York City's housing market? Just peruse the apartment listings in the *New York Times*. On Sunday,



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April 6, the *Times* listed more than 2,000 apartments for rent in all five boroughs. The median rent in New York, according to 1996 U.S. Census figures, is $600. Yet in the entire listings there were only 12 apartments for under $600, all of them single-room studios.

The strategic response of New York's real estate industry has been dismal. Developers could probably tip the scales right now by pledging to build 20,000 new housing units a year the minute deregulation takes place. But, says one, "We're afraid to make any promises because we're worried that New York's strict zoning laws wouldn't enable us to keep them."

The sad truth is that almost no one in New York—tenants, landlords, or developers—has any collective memory of what it is like to live in a free housing market. During the 1920s and early '30s, developers put up more than 50,000 units a year. Apartments were so plentiful that some people moved every year to take advantage of a law that required a landlord to give a new tenant a fresh paint job. New York was often called the "City of Nomads." People would put their furniture in storage for summer vacation and rent a new apartment when they returned in the fall. Each August the papers carried stories of landlords' sprucing up their buildings for the "fall renting season."

Fifty years later, New Yorkers sincerely believe that securing an apartment requires the kind of guile and chicanery that people in the Soviet Union used to exercise in finding a piece of meat. In a story entitled "How to Find an Apartment (Seriously)," *New York* magazine once suggested "joining a church or synagogue" as a useful strategy for meeting people who might provide leads to an apartment. Even people who finally luck into their "great deal" become "Slaves of New York," because (as Tama Janowitz explained in the book of the same name) once they've landed an apartment, they know they can never move again.

All this has taken a spectacular toll on the city's economy. In 1965, more than 250 of the Fortune 500 had their corporate headquarters in New York City. Today the figure is 46. One of the major reasons corporations left town is that they found it impossible to house new employees. Corporations rotating people through the front office found that employees refused to move to New York. Finding a reasonable apartment meant moving to the end of a long queue that stretched out five years and beyond, and it was much easier to move the national headquarters to Dallas.

This inbred housing market eventually bled New York dry. The city government now spends more money to warehouse the empty buildings it has taken for taxes than it contributes to the New York Public Library. New York went over its constitutional debt limit this year after investing $5.1 billion in the early 1990s to rehabilitate residential buildings—the consequence of five decades of "taking the profits out of housing." At a time when national unemployment is 5 percent and falling, New York City's unemployment is at 10 percent and rising. The next time Wall Street takes a downturn, New York will become a national basket case.

There are plenty of things to be done in New York, but none will make much difference until the city gets rid of rent control. Right now, Joe Bruno, the man some New Yorker is trying to set on fire, is the best friend that New Yorker has.

William Tucker is a writer living in Brooklyn.

Locke and Load

by John Hood

I RECENTLY CAME ACROSS an interesting paper on welfare reform. The writer criticized the system as bureaucratic, ineffective, often counterproductive, and excessively costly to taxpayers. He proposed that all welfare funds to able-bodied recipients be conditioned on full-time work and responsible behavior.

He even recommended that children in extreme conditions of poverty and neglect be transferred to orphanages for their protection and nurturing, rather than left with irresponsible parents. And he argued strenuously that long-term poverty is not a product of insufficient economic growth and job creation, but the result of poor decisions and corrupted values.

What was most striking was the originator of this paper. No, not Newt Gingrich, or *Tragedy of American Compassion* author Marvin Olasky, or Heritage Foundation welfare guru Robert Rector. The paper was the work of the English philosopher of liberty John Locke.

Locke, who lived from 1632 to 1704, spent part of his long career in public life as a commissioner on the London Board of Trade. In 1697, he presented a draft of a proposal to reform the country's system of poor relief. His critique sounds strikingly familiar in the context of today's welfare reform debate. "The multiplying of the poor, and the increase of the tax for their maintenance, is so general an observation and complaint that it cannot be doubted," Locke began. Rebutting the presumption of many of his peers that Eng-

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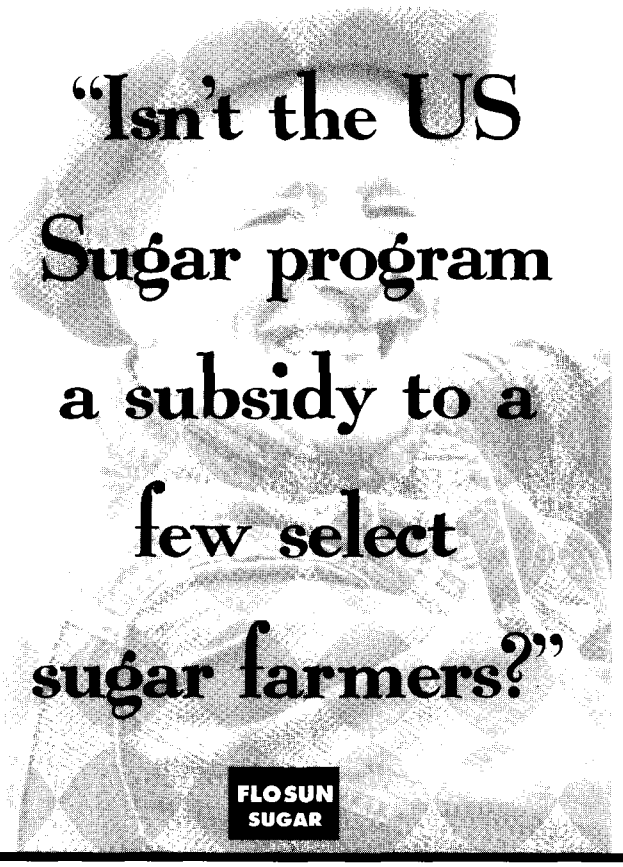
land's increasing poverty was the result of wars and economic instability, Locke wrote that "if the causes of this evil be looked into, we humbly conceive it will be found to have proceeded neither from scarcity of provisions, nor from want of employment for the poor, since the goodness of God has blessed these times with plenty. . . . The growth of the poor must therefore have some other cause, and it can be nothing else but the relaxation of discipline, and corruption of manners, virtue and industry being as constant companions on the one side as vice and idleness are on the other."

Locke wasn't simply "blaming the victim," as critics would argue today. He faulted the country's system of poor relief for failing in its intended mission and favoring simple gifts of food and money over the harder task of transforming recipients into self-sufficient members of society. "The true and proper relief of the poor," he stated, "consists in finding work for them, and taking care they do not live like drones upon the labor of others." This was the intention of England's poor-relief laws, but by "an ignorance of their intention, or a neglect of their due execution," the welfare bureaucrats in Locke's day had converted the system into "maintenance of people in idleness, without at all examining into the lives, abilities, or industry of those who seek relief."

To address this serious problem, Locke sketched out a plan of work requirements, job training, public education, child placement, and other measures that make today's welfare reforms seem namby-pamby. "The first step towards setting the poor to work . . . ought to be a restraint of their debauchery," the philosopher wrote. He called for strict enforcement of laws against drunkenness and begging. Adult males caught begging without a license would be seized and confined in nearby prisons or work camps or on ships for three years, during which time they would be required to work, with the cost of their room and board deducted from their pay. Female "vagabonds" would get a warning but be similarly treated on their second offense. Even children caught begging outside of their parish would be sent to the nearest "working-school" and "soundly whipped."



Absolutely not! The sugar policy was reformed by Congress creating a free domestic sugar market.

The pricing and allocation rules were all repealed in the 1995 Farm Bill.

No direct payments are made by the United States Government to Sugar Farmers.

The US sugar policy simply protects US Sugar Farmers from the unfair heavily subsidized competition of foreign governments and their sugar farmers.

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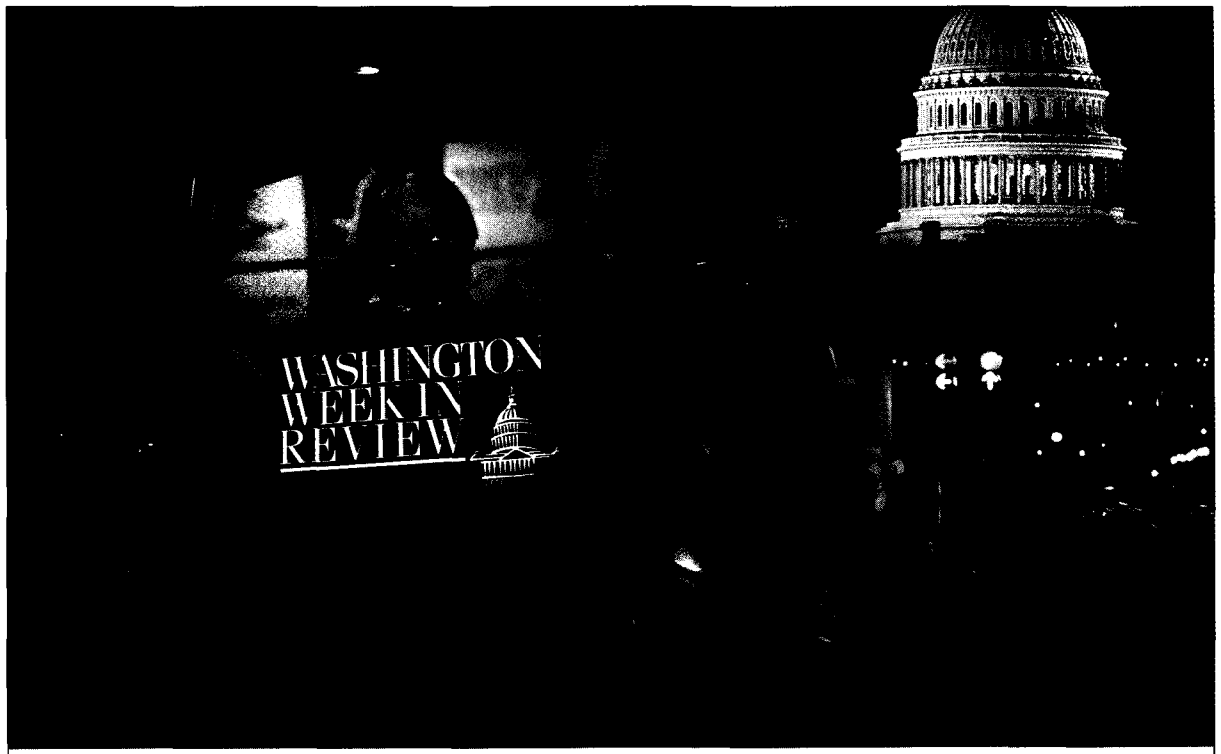
As modern-day reformers do, Locke separated the welfare caseload into categories based on recipients' willingness and ability to work. One group were "those who are able to maintain themselves by their own labor." This group would receive no relief unless they first worked for it (nor could they satisfy work requirements by looking for a job or taking a class). Children of those unwilling to perform such work, or in families where there were too many children for even working parents to support, would be sent to working-schools, to be educated and taught a useful trade. Not the least of what Locke expected these children to study was religion. He viewed religious instruction as crucial to the task of breaking the cycle of poverty so that the next generation would not engage in the irresponsible behavior of its parents.

The second group of welfare recipients, which Locke estimated to be the largest, consisted of those adults and children able and willing to work but who were, for reasons such as physical or mental infirmity, incapable of fully supporting themselves. These citizens would receive wage supplements but were expected to work at least part-time to qualify for relief.

The third group consisted of "those who can do nothing at all towards their support." They would be treated as permanent wards of the state and, if necessary, lodged in group homes to reduce the cost to the taxpayers.

These proposals sound a lot like the kind of welfare reform that many congressional leaders, innovative governors, and conservative think tanks are advocating. The response to Locke's plan is equally familiar. His fellow commissioners on the Board of Trade criticized Locke for being heartless and misidentifying the problem. To them, the poor were unemployed because there was a shortage of jobs, not because the poor were unwilling to work or engaged in "debauchery." Rather than impose punitive measures on these victims of social neglect, the commissioners favored higher government spending to create jobs. They got their way, and Locke's reforms went untried.

John Hood is president of the John Locke Foundation, a public policy think tank in Raleigh, North Carolina, and the author of* The Heroic Enterprise: Business and the Common Good *(Free Press).



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LITTLE MAN, WHAT NOW?

Robert Reich and the Failure of "The Conversation"

By Andrew Ferguson

In January 1992, the left-wing publicist Sidney Blumenthal wrote an informative article for the *New Republic* that still repays re-reading. In "The Annointed: Bill Clinton," Blumenthal patiently laid out for his readers the intellectual milieu that had produced the then-Democratic frontrunner and soon-to-be president. "The essential principle of Clinton's agenda—leaner, activist government—is the result of a rethinking of the future of liberalism and the Democratic party that he and his wife have been part of for years. This long project may be called The Conversation." The Conversation: complete with the capitals, it is a tag to treasure.

"From the start, Clinton has been part of The Conversation," Blumenthal went on, his customary redundancy driving the point home. "Over the years he has mastered the whole domestic policy curriculum that has evolved. He has done all the reading . . ." The Conversation, we learn, involved endless policy conferences, thick position papers, weighty tomes, and lengthy correspondence among the very best, most creative thinkers the Democratic party was honored to possess. Through the Carter-Mondale-Dukakis darkness The Conversation burned with brains afire—enormous brains, baby-boomer brains: a new generation of Americans, born in mid-century, tempered by Rhodes scholarships, disciplined by hard and bitter avoidance of the draft, proud of their graduate seminars at the Kennedy School, and unwilling to permit the slow undoing of the Democratic party. The Conversation, Blumenthal wrote, wasn't about anything so earthy as "the nuts and bolts" of electoral politics. It was about "why one should get elected and what to do if one is."

Well, one was, and the most sublime anticipated pleasure of the first Clinton administration was to watch how The Conversation and The Conversationalists would fare in the real world—in the nuts-and-bolts world, as it were—of political practice. Now, five years later, we have a pretty good idea; in fact, a very good idea, thanks especially to a new memoir from Robert Reich, Clinton's first labor secretary, called *Locked in the Cabinet*.

So central was Reich's role in The Conversation that you might even consider him its impresario. Blumenthal picked him out for special mention, along with such luminous intelligences as Mickey Kantor, James Carville, David Wilhelm, and Derek Shearer. *Locked in the Cabinet* stands as a continuation, elucidation, and consummation of The Conversation (stop me before I turn into Rev. Jackson!) that Blumenthal so lovingly limned, and with such high hopes, in the pregnant days of early '92.

The high hopes, of course, have been dashed. The president himself stomped them cruelly underfoot during his steady march centerward, as the early promise of gays in the military, ever-higher marginal tax rates, and nationalized health care gave way to deficit reduction, V-chips, and welfare reform. An air of dissipated expectation hangs over Reich's memoir as a result. It is a well-wrought book—witty and quickly paced, expertly mixing policy palaver with colorful anecdotes: the work of a man who knows how to write. He makes a few mistakes of style and taste, to be sure. In rendering dialogue, for example, he should go easier on the italics. Here's Hillary in the governor's mansion in Little Rock, preparing for the move to the White House: "I can't *believe* it, Bill. The movers are coming *tomorrow* to start crating things up. Weren't they supposed to come *next* week?"

And then on occasion he can be *positively* indiscreet. The talk about moving continues.

> "It's awful," [Hillary says]. "But we can't very well stay here now. George and Barbara are moving out to make room for us." She giggles.
>
> "I hope they leave the chandeliers," Bill says, then laughs.
>
> "At least clean out the skeletons from the clos-

Andrew Ferguson, a senior editor of THE WEEKLY STANDARD, *is the author of* Fools' Names, Fools' Faces *(Atlantic Monthly Press).*

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ets," Hillary says. Then she laughs raucously, laughter shaking her whole body.

Oh, those skeletons! They're a stitch, eh, Mrs. Clinton?

And the imagery is sometimes unimaginative: "[Alan] Greenspan has the most important grip in town: Bill's balls, in the palm of his hand." (Does Andrea Mitchell know about this?) Reich describes a congressional hearing at which Teddy Kennedy helped him out of a tight spot: "I could have drowned. Kennedy saved my life." This is a violation of the first rule of Democratic memoir-writing: When talking about Teddy, avoid aquatic metaphors.

But for every infelicity, there is a good wisecrack, or a skillfully rendered set piece—some instance of self-deprecating charm. He wields irony with the deftness we have come to expect from sophisticated baby-boomers:

> Here is the nation's twenty-second Secretary of Labor, on his first official mission to the workplaces of America, about to begin his First Official Dialogue with a Blue-Collar American Worker.
>
> I clear my throat. "How much do you earn, Marsha?"
>
> "Not to be rude, but I don't think that's any of your business, sir."
>
> The First Official Dialogue between the Secretary of Labor of the United States and a Blue-Collar Worker has not generated the richness of fact and detail the Secretary had hoped for.

For all its appeal, *Locked in the Cabinet* is nevertheless the work of a bitter and frustrated man, and one who is eager, as diplomatically and subtly as possible, to tell us why.

A Harvard professor, Reich was the oldest Clinton friend to secure a position in the president's cabinet. The friendship was struck in the mythic year 1968, on the fabled boat to England, where the two were to enjoy their Rhodes scholarships at Oxford. It deepened at Yale Law and remained strong, though never intimate, throughout the long, deafening years of The Conversation. Notwithstanding his disappointments with the president's centrism, Reich remains a quintessential Conversationalist.

The Conversation was less an ideological wrangle than a spiritual state, an attitude, an approach to the world. The Conversationalist is profoundly self-conscious, and self-congratulatory. Reich himself, Reich himself offhandedly confesses, is "passionate about social justice and economic fairness." In fact, "the three of us [Hillary, Bill, and Reich] have talked about, and acted upon, our convictions about social justice for almost a quarter century." While other friends may talk about, say, where to have dinner, Conversationalists talk about making this crazy old world a better place—and, just as important, talk about how they're always talking about it. Go ahead: Call them idealists—that's just the sort of people they are. "Bringing America together, creating real opportunity for people to get ahead, continued to be a main topic of our ongoing discussion whenever we met." You can imagine the parties.

The Conversationalist is steadily in touch with his (or her) feelings, and his (or her) feelings are always "conflicted," and never below the surface. Reich and the president hug often; they hug hard. Just as they have risen above the stale old ideological categories of Left and Right, they are liberated too from gender stereotypes. Reich's book takes the form of a four-year diary, and he works to give it a diary's intimacy. This is not difficult for The Conversationalist to do, since the most rewarding kind of intimacy is one that's put on display for thousands of strangers to admire. He agonizes constantly. On page 9, Reich worries about taking the labor job Clinton may offer him: "It scares the hell out of me." Then, on page 16: "It's frankly scaring the hell out of me." And then, on page 21: "It scares me."

But he gets over it, with the help of a remarkable family. How remarkable?

> Tonight, as I tuck Sam in, he stares up at me and asks, "You're really going to help people, aren't you Dad?"
>
> "I hope so, Sam."
>
> "You're going to help people get good jobs. That's what Mommy says."

Make that, Good jobs *at good wages*, my son. In public he must be "cool and professional"; in the Reich household "I can let go and be me." It is a family of Conversationalists. While Dad's helping people get good jobs, Mom's out there a-teachin' at the law school and founding a "domestic-violence institute." "I vowed to myself I'd be *here* for this family," Reich writes. So as the little saplings grew, he changed diapers, gave baths, rubbed the kids' backs till they fell asleep at night, and he has lived to tell us all about it. Not since Frances Perkins has a secretary of labor been so comfortable with his feminine side—and I'm not forgetting Lynn Martin, either.

But there's more to The Conversation than mere sanctimony, more than this highly approving attitude towards self. Moral vanity can have practical applica-

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tions, and this after all is what The Conversation was about. In its particulars Reich's view of American society is not so different from those 19th-century pen-and-ink sketches showing a cigar-chomping, overstuffed Kapitalist with his boot on the back of a scrawny fellow marked "Labor." (Reich's caricature has a '90s touch: When he meets with a group of businessmen, he complains that all the cigar smoke hurts his eyes and makes him dizzy.) Sweatshops choke the landscape, bread lines wind through the haunted streets of our great cities. As secretary of labor, Reich defined the American workforce as "the little people who work hard and most of the time get screwed." They are the "underdogs," big, lovable pups flopping around and panting for his help. Thus in the Manichaean struggle with the fatcats, Reich sides with the little people and the dogs. It's, like, a moral obligation.

The president, Reich assumed, shared this grand vision of the commercial republic. Wasn't Clinton an original member of The Conversation—caring passionately, talking incessantly throughout the '80s? But almost from Election Day 1992, the warnings begin to sound, vague and distant at first, loud and crashing and unignorable four years later when the president's betrayal was complete.

During the transition, Clinton asks Reich, with a sidelong glance, "What do you think about Bentsen for Treasury?" Reich is taken aback. "He's not motivated by exactly the same ideals as ours," he observes, and later muses, "I doubt Lloyd Bentsen has ever spoken to a single rank-and-file member of the AFL-CIO, let alone a janitor." With his background in "oil, gas, and high finance," Bentsen had not been exposed to the full sweep of human experience available to Reich as a professor at Harvard and a resident of Cambridge, Massachusetts; little wonder, then, that the old Texan does not—cannot—care passionately. Reich trembles at the portent: "If Bill and Hillary are seriously considering Bentsen, how committed can they be to raising the prospects of the working class and the poor?"

From here Reich's disillusionment unfolds with a sad inexorability. He attends cabinet meetings, visits job-training sites, lobbies Congress, dithers with the White House staff, sups with the Washington elite. His verdict is rendered early on: "Washington sucks." For that matter, almost every non-little person sucks, too. Pols have an attention span "just under three minutes"; staffers are consumed with dividing the political spoils; the press is simple-minded. And so Reich spends his time fruitlessly "wandering through the halls of the White House and Congress with a tin cup, begging for money to upgrade the skills of working Americans."

One letdown follows another. He had high hopes for his fellow cabinet officers—"we children of the '60s," as he puts it—but the president's advisers obsess about the budget deficit, drying up the money Reich wants to hand out to the little people. Congressional Republicans, of course, are "thugs and bullies"—duh. But the more shocking revelation concerns congressional Democrats. One House Democrat explains the facts of life: "We're owned by them. Business. In the 1980s we gave up on the little guys. We started drinking from the same trough as the Republicans." Dear God, who will take care of the dogs?

The burden falls, perforce, to Bill and Bob, but although the Reich is willing, the Clinton is weak. To be sure, the old Bill occasionally emerges. In a discussion of budget constraints, Clinton's famous temper flashes. "We're losing our *soul*!" the president shouts in agony. "What'll I be able to tell the average working person I did for him? . . . At least I'll have health care to give them." This is The Conversationalist talking—the megalomaniacal use of the first-person pronoun, the presumptive role of president as benefactor to a helpless nation. Reich is reassured, but only momentarily. The health-care plan is unveiled. "It may be a good plan," Reich notes, "but it's complicated as hell." The little people will never understand it, he predicts. And sure enough, health care fails. (Interestingly, a large number of events that we now know to have happened are predicted in the diary. Reich is uncannily prescient in hindsight.)

The relationship between the president and his labor secretary is a rollercoaster ride, as dizzying as cigar smoke. Before too long, the downs far outnumber the ups. One moment, the president gives a nationally televised speech Reich approves of, and afterwards they hug. "I feel as though we're on exactly the same track," Reich thinks between oomphs. The next moment, the president is listening to Lloyd Bentsen or sucking up to the ball-bearing Alan Greenspan, and Reich is deflated.

"Bob," the president implores, "I'm trying. I'm *really* trying." But is he? "He agrees with me when we talk, but . . ." When the president signs on to a balanced budget, Reich writes, "I worry . . . he has lost sight of the larger goals he came to Washington to accomplish." Then the next day, the president says he agrees with his labor secretary, and Reich enthuses, "B *really* does care about these things."

But at last Reich's sympathy runs dry. Pitilessly he shows us his old pal, the president, as unprincipled,

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indecisive, shifting this way then that with every current, and all the while avoiding the consequences of his own vacillation. "He deflects responsibility so artfully," Reich notes. The final blow comes in the summer of '96, when the president signs the welfare bill—for all The Conversationalists, the ultimate act of betrayal. "I feel sick to my stomach," Reich writes. "There's no point to winning reelection if it has to be done this way."

In a remarkable coda, Reich relates a chat with Dick Morris. Morris represents "all I detest in American politics," but by book's end Reich leaves the impression that the political consultant has a far better understanding of the man they both served. Morris tells Reich:

> "Clinton tacks to the right when the wind is blowing right. Then he tacks to the left when it's blowing left. Now it's blowing right, so that where he's heading. But he always knows his ultimate destination."
>
> "Where's that, Dick?" I asked him.
>
> "Back to the White House for another four years," he said, without so much as a smile.

And Reich recounts this devastating assessment without so much as an argument. This is a sad note on which to close a diary, and to end The Conversation.

For surely The Conversation is now over. *Locked in the Cabinet* serves as its final whimper. The great rethinking of liberalism that The Conversationalists undertook throughout the '80s has in 1997 issued, under the pressure of practical politics, in the Rockefeller Republicanism of the second Clinton administration. Reich leaves "the nuts and bolts" of politics a supremely unhappy man, convinced as strongly as ever of his superiority to its processes, to its practitioners, and to the man who gave him the coolest job he'll ever have. *Locked in the Cabinet* is in the end an act of ingratitude. It is also vaguely dishonorable. But then no one ever said you had to be honorable to join The Conversation. All you had to do was talk. ♦

How To Behave Like a Majority Party

By Major Garrett

From 1990 to 1994, a banner hung above the door to the National Republican Senatorial Committee that read: "Think Majority." The banner encapsulated the admittedly corny enthusiasm that Phil Gramm, the committee's chairman at the time, sought to instill in Republicans. Gramm wanted his political operatives to think in a new way about the minority party's prospects in the House and Senate.

Now, in the spring of 1997, everything about Republican Washington reeks of stupefied self-doubt—the very attitude Gramm sought to banish in the years when Republicans were still in the minority. The mood has infected the elected politicians still in shell-shock from the pounding they took during the 1996 elections. And it has also infected, and paralyzed, the outside groups whose relationship to the Republican party is now almost symbiotic.

The GOP's "constituent groups" mobilize activists outside Washington in order to help the party advance its agenda and to defend it against attacks from Democrats and the media. Through grass-roots work by phone and direct mail, advertising, letters to the editor, and soft-money fund-raising, the so-called Coalition tries to function cohesively even though many of its members do not always share the same cultural, economic, or ideological pedigree.

The Coalition can be divided into three camps. First are the business groups—the Chamber of Commerce, the National Association of Manufacturers, the National Federation of Independent Business, and the like. Second, the conservative groups, ranging from the Family Research Council and the Christian Coalition to the National Rifle Association and U.S. Term Limits. Third, the nonprofit ideologues, like the Heritage Foundation and Americans for Tax Reform.

Major Garrett's cover story, "Newt Melts," ran in our March 31 issue.

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The cohesion of the GOP leadership and the Coalition in 1994 and 1995 helped produce seismic changes in American politics. Together they rewrote the Washington catechism on nearly a dozen important domestic issues: balancing the budget (from whether to when), discretionary spending (from how much more to how much less), taxes (from which to raise to which to cut), entitlement reform (from never by any amount to when and how much), defense spending (from how much to cut to how much to keep), welfare reform (from Washington to the states), crime (from root causes to jail cells), tort reform (from trial lawyers to those they sue), and even term limits (from blanket censorship to raucous debate).

Many of these changes took place in the battles over the Contract with America. Even though only a few of the contract's provisions have become law, its very existence forced the American political system to the right in a way few would have imagined possible in 1993.

But the contract came with an unanticipated, and very steep, price tag. Newt Gingrich had vowed votes on each of its ten planks in a hundred days. The politicians and the "constituent groups" had never worked so hard, or been under as much pressure, as during the hundred days. And by the time Congress had completed that Bataan-like march, it was only April 1995, and the Republicans were completely exhausted with more than 18 months to go before the 1996 election.

They tired out just as Bill Clinton recovered from his post-1994 funk and never again had the strength to engage the president or the Democrats effectively during the remainder of the 104th Congress. The GOP was so drained, in fact, that the constituent groups couldn't even muster much outrage when the Republican leadership drowned them in a flood of political accommodations to the Democrats in the summer of 1996.

These accommodations led to an increase in the minimum wage, which is anathema to the National Restaurant Association. They featured a new layer of health-insurance regulations promulgated in the Kassebaum-Kennedy bill, which left the National Federation of Independent Business fit to be tied. And there was a burst of 11th-hour pork-barrel spending that Citizens Against Government Waste concluded rivaled that of many previous Democratic Congresses.

Still, shrewd leaders in these constituent groups understood some unpleasant bills had to be swallowed to keep Republicans in charge of Congress. This was a deal most were willing to accept *as long as the party proved its commitment to the unfinished business of the 104th Congress early in the 105th Congress.*

That has not happened. And now the constituent groups are stirring. Numerous interviews with Republican lobbyists (virtually all of whom demanded anonymity for fear of incurring the wrath of GOP leaders, their clients, or their memberships) reveal that confidence in the leadership among constituent groups has plummeted. "There don't seem to be any bottom-line principles that are guiding what we're doing the next two years on the budget or a larger Republican agenda, says Karen Kerrigan, head of the Small Business Survival Committee. "There doesn't seem to be any rhythm. It's a free-for-all in a sense. Everyone is looking for someone or something. We are all in a lethargic type of stupor."

The lack of cohesion between the leadership and the Coalition has left all concerned unsure of how to rank or even discuss the party's irreducible principles. And it has set in motion an atomization of the alliance that proved so productive just two years ago.

The Coalition especially dreads the upcoming debates over capital-gains tax cuts, education tax credits, and revisions of the Clean Air Act. Its members don't trust the leadership to withstand another class-warfare debate over capital gains, or to keep faith with laissez-faire economics in a tussle over education tax cuts that will make Republicans look like they oppose helping upper-middle-class kids with college tuition. Nor do they expect the leadership to stand firm against extensions of the Clean Air Act, since that would open Republicans to the charge that they are plutocrats for pollution.

The dread is so deep that it now threatens the Working Families Flexibility Act, which would give employees the right to choose compensation time instead of overtime. It's a humble bill, and it ought to attract feverish support across the spectrum of Republican constituency groups. It's good for pro-family conservatives because it offers more time for parents to spend at home, it's good for small businesses because it provides flexibility, and it's good for anti-labor Republicans because Big Labor opposes it.

But important members of the Coalition, particularly the National Federation of Independent Business and the National Restaurant Association, have come to fear the bill. They have no problem with its substance; instead, they are worried about the regulatory baggage it could bring with it after the Senate votes. Senate Democrats, led by Edward Kennedy of Massachusetts, will surely add amendments that will expand the Family and Medical Leave Act to allow employees to take time off for PTA meetings, doctor's

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appointments, and other such measures.

"There is the feeling that the Democrats have the upper hand in demagoguery," says Kerrigan. And without a persuasive rhetorical campaign against the Democratic amendments, constituent groups believe the bill will return to the House larded with regulations far more onerous than the benefits of the original legislation. "You can visualize the political fear sweeping over the place," says a Republican lobbyist who has worked the comp-time bill for months. "We've been afraid of this from Day One."

REPUBLICANS NOW SEEM TO ASSUME AS A MATTER OF COURSE THAT THE DEMOCRATIC PARTY LINE HAS MYSTICAL POWER TO SWAY THE PUBLIC.

This state of affairs tells us a great deal about the current cast of mind. Republicans now seem to assume as a matter of course that the Democratic party line has mystical power to sway the public and that there's little or nothing the leadership in either chamber can do to counter the demagoguery. And they assume that go-down-with-the-ship unity cannot be forged between the leadership and the constituency groups to beat back the Democratic onslaught.

"Right now, the party's defensive," says one lobbyist, and this preemptive defeatism dominates the Republican psyche on virtually every important issue from tax cuts to affirmative action to school choice. Members of the Coalition are searching instead for small items to extract from Congress that will please their membership, because they know they will get nowhere with a more ambitious legislative agenda. "Many members of the Coalition have decided not to involve themselves in big issues that require cohesion and instead are after incremental tidbits," Kerrigan says. "They are saying 'Let's get what we can for our membership.'"

The blame game for the Republican crack-up is being played out on three levels. At the top, the Republican House leadership blames the party's political and ideological base for being so touchy when things don't go perfectly. The leadership also blames conservative backbenchers for rebelling too readily in the face of some unpleasant but (they protest) necessary political compromises.

At the same time, members of the party's base—social conservatives, small-business owners, gun owners, libertarians, economic conservatives, budget hawks—blame the leadership for failing to devise a coherent agenda and a powerful communications strategy to back it up.

Rank-and-file Republicans blame the ideologues for not falling into line with the leadership and defending the GOP against Democrats and the media. But they also blame the elected officials because they are not providing a legislative road map complete with sure-fire talking points and reassuring polling data.

What Republicans are really searching for they cannot achieve until the party adopts a different set of political habits and assumptions about its methods and objectives. The problem is that the majority party in Congress still clings to the habits and assumptions that governed its behavior as a minority party.

The Republican party has not come to grips with two fundamental changes in its role in American politics. The first is that it is becoming a congressional party and is losing its status as a presidential party. The party's strength in presidential elections, secure for half a century, has eroded, while its strength on a district-by-district basis in congressional voting has increased. Republican presidential candidates in 1992 and 1996 attracted 37.4 percent and 40.7 percent of the vote respectively.

Instead, the GOP has succeeded in the very same way Democrats did when they kept control of Congress—through ticket-splitting. In 1996, more than 90 House Republicans won in districts carried by Clinton. But fewer than 20 House Democrats won in districts carried by Bob Dole. In New York, Dole didn't carry a single congressional district, but 13 of 14 Republican congressmen won reelection.

This success is a direct result of the rise of the constituent groups and their grass-roots activists and members across the country who have joined the party in growing numbers since the mid-1980s. The Republican party has deeper roots now than it has ever had in local and state politics. The activists who have brought this change about are, by and large, very conservative, very aggressive, and very impatient.

Many came to the party long before it had any power in Congress, and through the wilderness years of Republican minority status they shouted until they were hoarse on behalf of conservative issues.

They believed that, in their commitment to prin-

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ciple, they stood above rank politics. They had not come to Washington in pursuit of power or spoils (there were none to be dispensed, after all), but solely in pursuit of the truth. Theirs was a politics of purity, and it bound them together with backbenchers and conservative thinkers in a hermetic alliance.

And everyone was in on the fun. Republicans whose legislation had no chance of passage in the House and Senate drafted amendments in exactly the language the constituent groups wanted. The leadership did what it could to sabotage the Democrats on the floor.

It was entertaining and unifying. But Republicans weaned on the politics of purity have had a hard time digesting the politics of power. Running Congress requires an entirely different set of habits and assumptions than Republicans have ever used before. It requires adopting the methods Democrats used during their 40 years of congressional power, even though their goals were, and remain, repugnant to Republicans.

Democrats held their disparate constituencies—industrial labor, government-employee labor, minorities, southern conservatives, environmentalists, and later feminists and homosexuals—together by dispensing the perks of power that flowed from an ever-growing federal bureaucracy. The spoils included but were not limited to: pork-barrel projects, new regulations, new bureaucracies, and high-profile investigations of enemies in one industry or another.

As a result, Democrats internalized a behavior that Republicans regard as one of the keys to success in the private sector: deferred gratification. Members of the Democratic coalition who did not get what they wanted in one session of Congress would not revolt or sit on their hands in the next election. Rather, they would work just as hard in the trenches for the party, confident that, in time, rewards would come their way.

"There was unity and sophistication about power," says Peter Fenn, a Democratic consultant. "Don't get me wrong, there were lots of fights, and we weren't as unified as we sometimes appeared in public. But everyone more or less understood that the key was power and how to hold onto it."

With so many spoils to dispense, it was perfectly logical for members of the Democratic constituency to wait their turn. The key for them was not the order in which they received the spoils, but the maintenance of the power that kept the spoils system in place.

But Republicans (for the most part) do not come to Washington to increase the size of government, dispense pork-barrel projects, draft new regulations, or create new bureaucracies. Nor are they in Washington to use one of the most formidable tools developed by the Democrats: investigations of their enemies.

Now, about investigations. Of course, Republicans have investigated Clinton, and so far the political value of these inquiries has been pretty hard to discern. That's the risk a party takes with any political investigation.

But this is not the kind of investigation Democrats used so effectively in their years of power. I'm talking about investigations of a different kind. Democrats such as John Dingell of Michigan, Henry Waxman of California, Howard Metzenbaum of Ohio, and Kennedy used the committee system to conduct scalding oversight hearings into the conduct of entire industries or selected companies.

Well-orchestrated hearings could (and did) intimidate Democratic opponents. They also inspired loyalty among Democratic constituency groups that saw them as a key perk of the party's power.

Now, compare the Democrats' behavior to the way Republicans have conducted themselves since 1994. When Republicans took control of Congress, they decided to cut the budgets of their committees. They did this to save money and decrease congressional bloat, which are certainly noble causes.

But the practical effect has been that there are fewer investigators to conduct oversight of federal regulatory agencies. And this in turn has meant there are fewer hearings to spotlight regulatory abuses—the sort of hearing that could prevent further regulatory abuses in the future.

HOW DOES A PARTY HOSTILE TO THE OLD SPOILS SYSTEM IN CONGRESS INTIMIDATE ITS ENEMIES AND REWARD ITS FRIENDS?

What Republicans did was not *wrong*. Who could be against shrinking the size of congressional staffs and saving some taxpayer money? But these laudable instincts have diminished the majority party's ability to intimidate its enemies and reward its friends.

How does a party hostile to the old spoils system that made Congress the well-oiled machine of the Democratic coalition forge the discipline and cohesion among its coalition groups it needs to survive?

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The party will have to convince its troops that today's battles are over not purity but power. And that might require a new Republican definition of the term "spoils." In the GOP universe, "spoils" means "tax cuts." All Republicans favor tax cuts. In the cutthroat world of legislative politics, however, it's also true that some tax cuts are more equal than others. Big business and pro-growth conservatives don't share the social-conservative enthusiasm for a family tax credit, and social conservatives don't particularly care about capital-gains tax cuts. Neither is especially interested in cutting estate taxes, which is important to small-business groups.

The GOP leadership is trying to find a way to cut taxes and balance the budget this year. In pursuit of this goal, it will be easier to use a tax cut that creates some economic growth without adding appreciably to the deficit. Such a tax cut would likely attract the support of conservative Democrats in the House and Senate, thus providing the GOP a budget with a patina of bipartisanship (more than Clinton's budget will ever have).

With this in mind, a cut in capital-gains taxes is the one that makes the most sense in 1997. The Congressional Budget Office says such a cut brings in surplus revenue in the early years; most economists believe it will increase economic growth. It will relieve some of the difficulties in balancing the budget while keeping the faith on tax cuts. Other tax cuts either do not have an immediate and measurable impact on economic growth (estate tax cuts, expanded IRAs) or require nearly impossible spending cuts to fill the revenue hole they leave behind (the $500-per-child tax credit).

With capital-gains tax cuts in a credible balanced-budget package, the majority party might be in a stronger political position to argue for family tax credits and estate tax cuts later—say, in 1998.

For this to work, of course, other members of the GOP coalition would have to lick their wounds and fight for the capital-gains tax cut *as if it were their own tax cut*. That would mean deferring their own gratification and fighting for legislation in which they have no pride of authorship. It would also mean explaining the shift in tactics to loyal members of individual constituency groups, chief among them the Christian Coalition.

Each group that did not get its way would have to pull together and support the first tax cut in order to build support and *maintain the power* necessary to draft the *next* tax cut. If the GOP brings about a budget on its way to balance that also features tax cuts consistent with party doctrine, it can devote the better part of 1998 to considering which taxes to cut next. Perhaps in an election year the majority party might find a debate over the family tax credit more to its liking.

Patience, deferred gratification, and a focus on power: These are the habits the majority party might want to develop as it tries to act like a majority party worthy of the name. ♦

Cohen and Clinton in Bosnia: A Senseless Bore

By Robert Kagan

American troops in Bosnia face a unique threat that even the fiercest critics of the peacekeeping mission never imagined. Forget all the hysterical predictions that U.S. soldiers would be slaughtered in a vicious crossfire between angry Serbs and Muslims, or assaulted by rogue snipers just itching to square off with M-1 tanks and Apache helicopter gunships. No, it turns out that our troops have a different problem: They're bored.

Bored sick, in fact. The *New York Times* recently reported that "the tedium . . . is stifling," and soldiers deployed in Bosnia for longer than six months start showing signs of severe mental fatigue and low morale. Two of the three U.S. fatalities in the 16-month-old mission have been suicides (the other was

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the result of a land-mine explosion). As a statistical matter, the *Times* notes, the forces in Bosnia have more "to fear from themselves than from any of the former combatants in the Bosnian war." They've also suffered fewer casualties than if they had been conducting routine training exercises or driving around America's highways. But they are suffering nonetheless from acute frustration at a mission that seems increasingly to have no purpose.

Boredom is, of course, always a part of a soldier's life. The real cause of low troop morale in Bosnia is a sense of their utter uselessness. When the Sarajevan suburb of Alija was put to the torch last year, Admiral Leighton W. Smith, Jr., then U.S. commander of NATO forces, refused to intervene. When Muslim refugees were shot by Croats in the town of Mostar, NATO troops could only watch. When Muslim homes in the town of Gajevi were burned down by Serb mobs last month, American troops were ordered to stay behind their barbed-wire fences and do nothing.

NOT SURPRISINGLY, OUR SOLDIERS IN BOSNIA HAVE ADOPTED THE SAD CYNICISM OF COPS DRIVING THROUGH A BAD NEIGHBORHOOD.

Not surprisingly, our soldiers in Bosnia have gradually adopted the sad cynicism of cops driving through a bad neighborhood. They can see the thugs working over their victims in the shadows, but they've been told to stay in their cars and drive on. As one soldier told the *Times*, "We all wonder if when we pull out in 1998 the Bosnians won't start fighting again. I don't want to look back 10 years from now and say I wasted my time."

It is beginning to look as though the Bosnian deployment will indeed have been a waste of time, not to mention a squandering of more valuable resources like national prestige, money, the cohesiveness of the NATO alliance, and the well-being of the international system. More than anything, the ennui of American troops reflects the fact that the mission to implement the 1995 peace accords signed with so much fanfare in Dayton is now sliding toward failure. The troops know it, and so do officials in Washington.

The Bosnia mission has been losing altitude for months. War criminals still run free. Refugees are barred from returning to their homes. Efforts to reinvigorate the Bosnian economy and rebuild infrastructure destroyed in the war have faltered miserably, mostly due to inadequate international leadership by the United States and its principal allies. Despite the relatively successful elections last September, Bosnia remains riven by ethnic hatreds which seem to be hardening rather than eroding.

And if that weren't enough bad news for the troops, enter William S. Cohen, the new secretary of defense. Public statements by Cohen in recent weeks have sent the already descending Bosnia policy into a steep and perhaps irrecoverable dive.

Since the end of January, Cohen has been telling anyone who will listen that U.S. troops will be out of Bosnia by June 1998, regardless of the consequences. "We are not going to be there," Cohen told his former colleagues at his chummy confirmation hearings. If Serbs, Muslims, and Croatians "go back to slaughtering each other" in Bosnia, Cohen declared in Germany, "it's going to be up to them." If you take Cohen's comments seriously—and both European and Balkan leaders do—then the United States is, for all intents and purposes, already out of Bosnia. For those still hunkered down in the Balkan mud, Cohen's pronouncements have only reinforced their growing sense that all the time they have invested in the mission will have been in vain.

Cohen's comments have been music to the ears of Republicans who, like Cohen himself, opposed the Bosnia mission from the beginning. Some, like House Budget Committee chairman John Kasich, have recently proposed legislation that would pull the troops out even sooner. And why not? If Clinton's defense secretary doesn't believe it matters what happens in Bosnia after we leave, why should we stay another year?

While opponents of an active Bosnia policy may be celebrating the turn Cohen has given to Clinton's policy, some of his new colleagues in the Clinton administration are furious with him. Since Cohen took office, a senior official says, U.S. policy has been "stagnating and beginning to move backwards." There is a "sense of drift and fatigue," both in the United States and among our European allies. Thanks to Cohen's repeated insistence on the June 1998 withdrawal date, the official complains, "Everything is now predicated on getting out. Rather than trying to build for success, we are working backwards from the departure date." State Department officials believe Cohen is trying to create "facts on the ground" to guarantee a quick withdrawal from Bosnia.

The problem is not primarily Cohen, of course, but the man who appointed him to run the Pentagon. The shockingly low level of Bill Clinton's commitment to

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his own policies in Bosnia was never more clearly demonstrated than when he named this staunch opponent of the mission to oversee the execution of military strategy. But signs of the president's inconstancy have abounded since the very beginning of the deployment in Bosnia.

Ever since making the risky decision to send the troops to the Balkans, Clinton and his advisers have done everything possible to reduce the political and military risks that logically flowed from that decision. It is as if Clinton spent every ounce of political courage in his being to launch the U.S. intervention over the objections of his myriad Republican critics. And once having braved that storm, he had no courage left over to see the mission through to a successful completion. Thus Clinton's strategy since that brief flurry of bold statesmanship a year and a half ago has aimed exclusively at avoiding further criticism—like the kind of criticism that might arise from any American casualties that were not self-inflicted. The result has been a policy so risk-averse that it cannot possibly accomplish the objectives for which it was originally intended.

DEFENSE SECRETARY WILLIAM PERRY DESCRIBED THE U.S. FORCE IN BOSNIA AS "THE MEANEST DOG" AROUND; IF SO, IT'S A DOG ON A SHORT, CHOKING LEASH.

American policy in Bosnia has thus fallen victim to Clinton's unique style of political triangulation. Clinton sent the troops into Bosnia to achieve one set of goals, the implementation of the Dayton accords, aimed at rebuilding a unified Bosnian state. But to calm the anger of his Republican critics, he agreed to a military strategy that aimed at a very different and much more limited set of goals. The critics warned against "mission creep," derided the idea of "nation-building," insisted that there be no U.S. casualties, and demanded a clear and irrevocable "exit strategy." They were more interested in how we got out than in what we accomplished while we were there. These congressional critics had strong allies in the U.S. military, who opposed the more ambitious objectives of the Dayton accords and had no interest in using American troops to achieve them.

In the face of these combined pressures, Clinton gave in immediately. Even before the first troops set foot on Bosnian soil, Clinton agreed with the Joint Chiefs of Staff on a set of restrictions on the use of American power in Bosnia that all but guaranteed the promise of the Dayton accords would not be fulfilled. According to the terms of the agreement NATO forces could intervene to ensure implementation. But from the beginning U.S. commanders balked, and Clinton let them.

In the end, then, Clinton overcame the critics in sending the troops to Bosnia but also gave them effective control of the way his policy would be carried out.

The Clinton administration's mission in Bosnia probably ended before it began. William Perry, Cohen's predecessor at the Pentagon, described the American force in Bosnia as the "meanest dog" around; if so, that dog has been on a short, choking leash. To avoid the dreaded "mission creep," U.S. commanders refused to arrest war criminals—even those traveling freely through areas which NATO forces nominally controlled. They refused to aid in the resettlement of refugees—even though soldiers were confronted every month by the demoralizing spectacle of uprooted people being turned back from their old homes by stone-throwing mobs. And they refused to ensure Bosnian citizens safe passage across the bloody ethnic lines that the U.S.-sponsored Dayton peace accords aimed to erase.

The combined effect of all the restrictions imposed by the Clinton administration and its senior military planners meant that the U.S.-led multinational force was simply not in charge in Bosnia. To be sure, the troops separated the warring factions and forced the cantonment of many heavy weapons on all sides, all in a matter of weeks and with remarkably little resistance. But then they quickly put themselves in a canton, too. They dug in deep, built walls around their bases, steered clear of the natives, assiduously kept their noses out of other people's business. They steeled themselves to wait out the rest of their stay until they could finally go home, having accomplished little that can't be undone when they leave.

Senior military officials like to blame senior civilian officials for failing to reconstruct Bosnia once the violence was brought to a halt, and there is plenty to criticize on that account. But, according to Richard Holbrooke, the architect of the Dayton peace agreement, the reluctance of the U.S.-led international force "to go beyond a rather narrow definition of its role and mandate" has also had a damaging effect on the efforts to reconstruct Bosnia politically and economically.

"Despite [their] enormous capabilities," Holbrooke complained in a letter to the editor published in *Foreign Affairs*, the U.S. commanders have "avoided

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most opportunities to support the civilian parts of the agreement, even when the risk was minimal." In particular, their continuing refusal "to even consider, let alone attempt, the arrest of [Bosnian Serb leader] Radovan Karadzic or any other indicted war criminal . . . has given strength to the separatist cause." Ambassador Robert Gelbard, recently named President Clinton's point man on Bosnia, insisted in April that it is "fundamental" to the success of the president's policy that the war criminals be "handed over for justice."

But Holbrooke isn't in charge of U.S. policy in Bosnia, and neither is the State Department. President Clinton has turned the policy over to William Cohen. Clinton should not be surprised, therefore, when June 1998 rolls around and he gets the "solution" in Bosnia that Cohen and his friends in Congress were always willing to accept: de facto partition, a military balance slightly more favorable to the aggrieved Bosnian Muslims, a resumption of the brutal war over ethnic boundaries (since neither Serbs nor Muslims are happy with the current arrangement)—and the United States on the sidelines. ♦

THE JUDGE THE SUPREME COURT LOVES TO OVERTURN

By Matthew Rees

Stephen Reinhardt is the liberal badboy of the federal judiciary. He is ideological, outlandish, and never dull. The 66-year-old judge, appointed by Jimmy Carter in 1980 to the Ninth Circuit Court of Appeals in San Francisco, is well known to the Supreme Court, which has a habit of overturning his opinions.

In fact, Reinhardt is one of the most overturned judges in history. In this term alone, the high court has reversed seven opinions that Reinhardt has either written or been party to. These haven't been narrow reversals, either—all seven of them have been unanimous. Moreover, four other opinions in which Reinhardt had a hand—including his notorious conclusion that there is a constitutional right to physician-assisted suicide—are now pending before the court.

THIS TERM ALONE, THE HIGH COURT HAS UNANIMOUSLY REVERSED SEVEN OPINIONS THAT STEPHEN REINHARDT WROTE OR WAS PARTY TO.

In his many years on the bench, Reinhardt has proven himself one of those judges who view the Constitution as an infinitely malleable document in which myriad "rights" can be divined. He has ruled that farmers lack the standing to challenge the Endangered Species Act because they are motivated by "an economic interest." He has ruled that the use of police dogs to track down drugs or criminal suspects violates the Fourth Amendment (which protects against unreasonable searches and seizures). Decisions such as these have made him a revered figure of the legal Left—in 1987, the California Trial Lawyers named him "Appellate Judge of the Year." With every reversal, Reinhardt's image grows in the eyes of those who view him as a last, left-activist outpost.

Reinhardt explains his reversals by claiming that he is specially targeted by the high court. He told the *San Francisco Chronicle* last October that the justices are "probably more aware of my opinions than those of some judges and they probably read them with more care." Here, Reinhardt is on the mark. A former Supreme Court clerk confirms that justices have privately referred to Reinhardt as a "renegade judge" and have given his opinions extra scrutiny.

The judge is overturned—by justices across the philosophical spectrum—for good reason: His jurisprudence has become increasingly eccentric and sloppy. Of his seven reversals this term, three came on a *per curiam* basis. This rare procedure signals the agreement of all nine justices that a lower court's ruling is so flawed, there is no need for oral argument.

Matthew Rees is a staff writer for THE WEEKLY STANDARD.

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Reinhardt is clearly descending further into the fever swamps. His Ninth Circuit colleague Judge Stephen Trott acknowledges that Reinhardt is "pushing the envelope harder now." But why? There are a couple of theories. One says that, as a bench veteran, Reinhardt is more secure in handing down provocative opinions. "He's feeling less constrained," says Arthur Hellman, a Ninth Circuit expert at the University of Pittsburgh Law School. But there is a more persuasive explanation: Reinhardt is frustrated over the judiciary's failure to move his way.

After Carter placed him on the bench, in the final months of his presidency, Reinhardt had to endure 12 years of conservative Republican appointments. He had hoped that Bill Clinton would be equally aggressive in appointing liberals, for Reinhardt believes that courts can and should be used as agents of social change. (For him, Earl Warren is "one of the greatest justices of all time.") But by the standards of left-wing legal tastes, Clinton's judges have been a fairly moderate bunch.

This infuriates a warrior like Reinhardt, who in 1994 took the highly unorthodox step of blasting the president: "Reagan and Bush really changed the philosophy of the courts, and not for the better," he said. "Clinton had the opportunity to do the same, and he blew it." A year later, he wrote to Eleanor Acheson, the assistant attorney general in charge of judicial nominations, and asked, "Do you stand for anything?" And a few days prior to Clinton's second inauguration, Reinhardt zinged the president in a San Francisco speech for not having nominated a black or a Hispanic judge to the Ninth Circuit. In the same speech, he hailed Thelton E. Henderson, the district-court judge who blocked implementation of the anti-affirmative-action California Civil Rights Initiative, as "a shining judicial star" and charged that "an abler, more committed president would have found a way" to promote Henderson to the Ninth Circuit.

Reinhardt, unsurprisingly, is an ardent defender of racial preferences and just as ardent a foe of the death penalty. Abortion, he considers a "fundamental right." In 1993, he wrote in the *Washington Post* about the need for openly homosexual judges. When such a judge was named the next year, Reinhardt complained that the appointment received too little publicity, telling the journal of the American Bar Association, "It was like hiring Jackie Robinson, putting him on the field and no one saying anything about it. That's not how firsts work."

Reinhardt saw an opening in May 1994 when Clinton nominated Stephen Breyer to the Supreme Court. The judge wrote an open letter to Breyer in the *Los Angeles Times* calling on him to become the court's liberal conscience. "There are lots of able technicians," he said, but the nation "is entitled to at least one justice with vision, with breadth, with idealism, with—to say the word despised in the Clinton administration—a liberal philosophy and an expansive approach to jurisprudence." As to the problem of Breyer's not being a Reinhardt-style liberal, the judge wrote, "I hope you will re-examine your philosophy," and "when you emerge, I hope it will be to assume the mantle of the Brennan-Warren legacy. Otherwise, that voice will be silenced—perhaps permanently."

His flamboyance notwithstanding, Reinhardt is influential with his colleagues. One reason is that he is undeniably smart. Says Judge Trott, "The competition of ideas is at a very high level when [Reinhardt] is involved." Another reason is that he works harder and produces more than anyone else. A survey found that, in the first half of the '90s, Reinhardt was the most prolific judge on his circuit, writing more majority decisions, dissents, and concurrences than anyone else. (Upon being informed of the survey's results, Reinhardt, irrepressible, said, "I don't feel I write as many cases as I should.") Reinhardt employs four clerks instead of the usual three. Two of those clerks, former civil-rights chief Deval Patrick and spinmeister Mark Fabiani, went on to prominence in the Clinton administration. Reinhardt is known for picking the sharpest, most liberal law-school graduates he can find, but even without them, he would be unlikely to lose his ideological moorings: His wife, Ramona Ripston, is the left-wing head of the southern California affiliate of the American Civil Liberties Union. (Reinhardt is her fifth husband.)

When it comes to oral arguments, rarely will any judge ask more questions than Reinhardt. And "no one prepares more than he does," says Trott. When the arguments are finished and the judges leave the courtroom, Reinhardt will sometimes corner a colleague and engage in another hour of debate. In the course of deliberations (which are conducted mainly through e-mail), he lobbies hard and strategizes relentlessly. "A lot of his influence has to do with his force of will," says Alex Kozinski, a libertarian Ninth Circuit colleague, adding that Reinhardt doesn't take defeat lightly: "He broods over his losses for years."

Reinhardt is also a bully, with little sympathy for his opposition. Though he and Kozinski are friends and sometime public-debating partners, Reinhardt has spared him nothing. When Kozinski dissented from a 1995 decision striking down an English-only initia-

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tive, Reinhardt did something few other judges would even think of doing: He wrote a separate concurrence to the majority opinion for the sole purpose of assailing Kozinski, the dissenter. "Judge Kozinski's view of the rights of non-English speaking persons would make the Statue of Liberty weep," Reinhardt wrote, evoking the specter of an "Orwellian world" and "Big Brother." Were Kozinski's views ever implemented, he added, the victims would be "people who are not as fortunate or as well educated as he—people who are neither able to write for nor read the *Wall Street Journal*" (to which Kozinski occasionally contributes).

Though a graduate of Yale Law School, Reinhardt lacked the normal credentials of a federal judge when Carter nominated him. He had toiled primarily as a Democratic activist and labor lawyer, functioning as a member of Los Angeles mayor Tom Bradley's inner circle. Reinhardt is recalled by the city's politicos as ruthless. And he brought his sharp political elbows into the courtroom, where he has been, by certain measures, a success.

Kent Lemon

Stephen Reinhardt

His most significant opinion—last year's on physician-assisted suicide—"may be my best ever," he crowed to the *Wall Street Journal*. The opinion, *Compassion in Dying* v. *State of Washington*, is vintage Reinhardt: It is eminently readable, heavily researched (with references to Hume, Montaigne, and *King Lear*, among countless others), long (109 pages, 140 footnotes), and dependent on unconventional evidence (polling data). It is vintage Reinhardt in another respect, too: It is intellectually unscrupulous.

The crux of his argument rests on demonstrating that a prohibition against physician-assisted suicide violates the due-process clause of the Fourteenth Amendment. He cites as his main precedents *Cruzan* v. *Missouri*, the only right-to-die case taken up by the Supreme Court thus far, and the abortion cases *Roe* v. *Wade* and *Planned Parenthood* v. *Casey*. And therein lies the error of his reasoning: the leap between rights established in these earlier cases and a right to physician-assisted suicide. In his use of *Cruzan*, Reinhardt shows himself unwilling to distinguish between allowing a person to die and causing a person to die.

Elsewhere in his opinion, Reinhardt notes that, for decades, physicians have been "discreetly helping terminally ill patients hasten their deaths" and that they have done so with the "tacit approval" of much of the public and medical profession. Reinhardt is equally cavalier when treating a principal argument of the other side—that once physician-assisted suicide is legalized, it will be used inappropriately, as in the Netherlands. He dismisses this argument as "nihilistic": "The legalization of abortion," he says, "has not undermined our commitment to life generally; nor, as some predicted, has it led to widespread infanticide." In truth, there was a marked increase in the number of abortions immediately after *Roe* in 1973 and such procedures as partial-birth abortion enjoy political and judicial protection.

Soon enough, the Supreme Court will rule on Reinhardt's opinion, and no one will be shocked if he, again, is overturned. As long as he is on the bench, and as long as the Supreme Court is controlled by justices of some consistency, Reinhardt will continue to be overturned. This concerns him, of course, but not so very much: In an average year, he will participate in some 500 cases; of these, the high court will adjudicate only a small fraction. And as Reinhardt—the country's most audacious liberal judge—has been heard to say, "They can't catch 'em all." ♦

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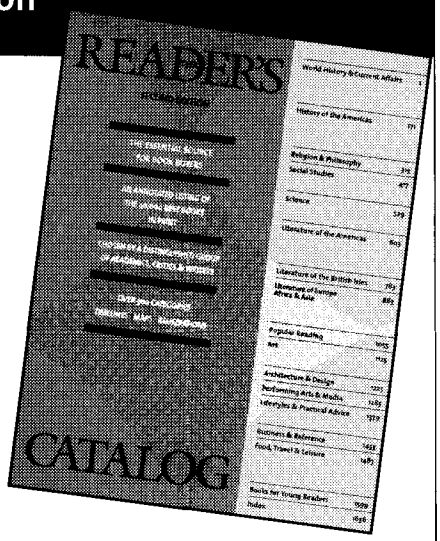

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Mark Twain, Biographed

The Many Lives of America's Greatest Writer

By Malcolm Bradbury

As Britain has Shakespeare, Norway Ibsen, Ireland Joyce, Spain Cervantes, so America has Mark Twain. He can surely be reckoned the greatest American writer—not necessarily the best, not the most artistically radical or adventurous, not the most profound. He wasn't the writer who did most to explore the aesthetic limits of American form (better for that Melville, or Whitman), nor the one who probed most deeply into the underlying problems and tensions of his industrializing post-bellum culture. He was quite simply the most inclusive, the most direct, eventually the most famous. He became *the* American author, recognized worldwide, steered to global fame by his white-suited Midwesternness, his comic splendor, his vernacular drone.

A few years ago, when I visited his hometown of Hannibal, Missouri—not one of the finest of memorial sites for a world writer—I was told of a recent visit by Jorge Luis Borges, the wonderful Argentinian storymaker who is as much a master of cunning literary brevity as Twain was a master of spread and sprawl. Borges had become blind, and so unable to see the tackiness of present-day touristic Hannibal; he simply walked down to the Mississippi riverfront, plunged his hands into Old Muddy, sniffed—and reckoned the whole world of Twain and his boyhood was now fully in his mind.

Malcolm Bradbury's comic novels include The History Man, Rates of Exchange, *and* Doctor Criminale.

Twain has had plenty of biographers; Virginia Woolf said of biography, "There are some stories which have to be retold by each generation." Twain's has been retold far more often than that. The accounts started coming even during his lifetime; they have shown no sign at all of damming up since. The best modern life by far has been Justin Kaplan's *Mr. Clemens and Mark Twain*, a fine study of the complexity of the man, his relationship to his culture, and the nature of his fame. Kaplan starts the story when Clemens, around the age of 31, has just become Mark Twain and is heading from West Coast to East, carrying his humorist's and journalist's credentials off to tackle the Brahmin citadels. Kaplan's decision to concentrate on the adult Clemens has left other biographers with plenty of room to maneuver.

Andrew Hoffman
Inventing Mark Twain:
The Lives of Samuel Langhorne Clemens
William Morrow & Co., 448 pp., $30

During his lifetime, Twain came to seem a white-suited wonderful Buffalo Bill. For the modernists of the first quarter of this century, he was something of an embarrassment; Van Wyck Brooks saw him as the good writer stopped by the provincialism of his culture from being great. Ernest Hemingway said the most famous thing about Twain, that all modern American literature came from one book called *Huckleberry Finn*. There was a time when Boston libraries banned *Huckleberry Finn* for its sauciness. Today there are critics who would ban it because of his characterization of Nigger Jim, while other advanced academics claim Twain as America's first post-colonial writer because of his American-vernacular style and his powerful critique of racism and slavery. So it goes on.

Novelist Andrew Hoffman has undertaken a large-scale new life of Twain with several interesting results. He is particularly concerned (so was Kaplan) with the issue of how the temperamental Sam Clemens enacted, borrowed, struggled with the demanding and ever-shifting role of Mark Twain. For "Twain" was a role, a performance, a mask for an often uncertain and sometimes difficult man. The man himself was, as Hoffman puts it, an unstable narcissist, who was relatively uneducated but wonderfully self-taught, not least in basic strategies of survival. He had a gift for impersonation and often a rogue temperament; but the Twain he impersonated developed radically from simple Western humorist into critical witness and entrepreneurial exploiter of the American era he himself helped name the Gilded Age.

Unlike Kaplan, Hoffman starts his story in those risky settlements along the Mississippi Valley, some of them with a utopian impulse, that grew up in the wake of the Louisiana Purchase and often ran into difficulties in the depression of 1837. In one of them, Mrs. Frances Trollope foundered; in another, Charles Dickens found the false Eden he depicted so bitterly in *Martin Chuzzlewit*. They

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were often marginal lands of resettlement for migrants from the East and the South, as Judge Clemens and family found when they came there in the 1830s and hit hard times. But there was to be another Mississippi Valley, which would make it to literature, in Twain's *Life on the Mississippi* and many other parts of his work. The river was a great avenue of culture, he said—with its own grandeur, its cosmopolitanism, its Gothic arts, even its own castles and monasteries. But this was a view constructed in retrospect, written when the Mississippi had declined from the glory days following Western expansion and transcontinental spread, as well as from the blockades of the Civil War and the growth of railroads. Only later was it really possible to make that central riverscape what Twain made it: an idyll, a mythic center for the nation, the vital American artery, everyone's boyhood home.

Hoffman tells the hard facts of these years, capturing the spirit of the new territory. He charts the early attempts of the young Sam Clemens to work up a career of some kind—maybe as a printer-publisher or a typesetter, maybe piloting on the river, maybe taking some role in the endless politics of the fast-changing state in which the Great Compromise was attempted and failed. When brother Orion went west to the new Nevada territory, Sam went too, involving himself in mining, politics, and journalism, and beginning to make his mark in the role of public humorist. The political climate and economic growth made Western journalism lively, and so did the links that existed with the powerful bohemian culture that had already emerged in San Francisco, a literary frontier even then—and, Hoffman suggests, with a distinctive gay culture as well.

It's here that Hoffman comes through with some dramatic suggestions about Twain's own sexuality. With a woman shortage and a western culture of male bonding, gay relationships may have been more prevalent than we know. Hoffman tentatively suggests, on the strength of scattered new evidence in letters, that Clemens's early career as a western journalist (and notorious hoaxer) depended on several gay relationships, not least one with a cruising humorist named Artemus Ward. He further portrays Clemens as an anxious figure, testily difficult, but capable of powerful charm. So, though he moved in useful political circles in Nevada, he was soon in financial difficulties and caught up in several scandals; fortunately, his reputation in print began to rise not just in the new territory but in California, and then over on the East Coast.

Kent Lemon

Meantime, struggling out of debt and skillful at stunts and self-promotions, he was beginning to lift "Mark Twain" from humorous columnist to public figure. He set out to out-lecture his rival Artemus Ward, whose early death helped clear the field. He cultivated celebrities, political leaders, ministers and preachers, and solicited political appointments. He moved his show from the West Coast to the East, and made his real fame with his reports from the Quaker City cruise to Europe—the first great transatlantic package tour, and "a funeral without a corpse." When the Rev. Henry Ward Beecher and Gen. William Tecumseh Sherman dropped out of the cruise just before departure, Twain became the ship's comic celebrity, mocking American religiosity as much as European cultural icons. The boat was packed with newspaper reporters—but it was Twain's articles and his subsequent lectures that made it matter. It all turned into his triumphant book *The Innocents Abroad*.

The book validated a distinctive, teasing, and yet culturally vigorous way of seeing the European culture-citadel; it was a new form of travel writing, an anti-guidebook. And also something in the way of a love letter for Olivia Langdon, from the pen of a cleaned-up, morally serious, and therefore potentially marriageable Mark Twain. As Hoffman shows, in

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order to make it in the East, in the world of wealth and "literature," Twain had to revise his history and whiten his character. This was a process that continued over the years, until Mark Twain became a perfect product and trademark. But it was also a shifting icon. At various times, Twain was prepared to share his pseudonym with other writers, hide behind it, ditch it altogether, market it, protect it as trademark. It was probably a visit to Britain early in the years of his fame that made him see the force of his identity. The British loved American humorists and saw their craft as an art form; Twain was massively honored, as he later would be right across Europe. Twain was an American embodiment, his humor considered a serious art. The humorist in turn became the great novelist. This ever-shifting personality—and what happened to it over the years that took Clemens through to his major fiction, through fame to bankruptcy, and out of it again, into final world honors—gives Hoffman his central theme.

Apart from the speculation about homosexuality, most of the story is familiar. Hoffman tells it vividly, bringing out Clemens/Twain's conflicts with his wife Livy and his obsessions with technologies, business adventures, and gadgetry of every kind, which took him to the brink of financial ruin.

This is an effective rather than a radical biography; the old boy is somewhat different, but still there shining brightly at the end. It's a study that lets us see the nature and explore the firm factual details of a major, self-discovering American life as it was led in its time. The time itself—a time of rising national power, bursting technological energy, great adventuring, stronger Americanness—also helped in the making of Mark Twain. "Twain" was in some ways a conservative figure, especially once he'd married Olivia. In other ways he was highly and observantly radical, not least on matters of race. That mixture produced a bouncing yet bitter critical humor, fed with a strong sense of moral crisis and anxiety, and by a wide social and cultural imagination that reached through to the American heartland.

That explains why novels like *The Adventures of Huckleberry Finn* and *The Tragedy of Pudd'nhead Wilson* will remain unforgettable—and why they truly are great revelations of American culture. Published just at the same time as a major new edition of Twain's collected writings—the magnificent 29-volume *Oxford Mark Twain*—Hoffman's well-told biography is timely, refreshing, and well worthy to hold the stage. There will, of course, be more; we will never be done with Mark Twain. ♦

THE MAGIC MOLEHILL

A Promising First Novel from a New Mann

By J. Bottum

The hardest trick for beginning novelists to learn is how to keep their characters in the dark. There is a reason that, taken as a class, the narrators of most great first-person novels tend to be a little stupid, a little slow and dull-witted: "Blind, blind, blind," sighs Betsy Trotwood in *David Copperfield* as the eponymous narrator proudly declares his passion for the wrong woman.

Jonathan Rosen
Eve's Apple
Random House, 384 pp., $24

But young authors writing their first novels are usually too much in love with their narrating heroes—too proud of their firstborn children—to hide from them themes and knowledge meant only for the reader. One typical result is a relentless over-explaining in the prose, a ceaseless nudging of the reader to understand. A worse result is the destruction of the motive for action: Characters who understand why they do the destructive things they do, after all, probably wouldn't do them.

Both sorts of flaws are present from the beginning of Jonathan Rosen's new work, *Eve's Apple*. His first good line—an anorexic young woman named Ruth Simon complaining of her mother, "She wanted to have her kids and eat them, too"—he can't let alone; he makes Ruth add, "She wanted to escape, which is fine, except that I had already been born." As the narrator, Ruth's boyfriend Joseph, finds himself drawn into her disease, he treks to the library for marathon sessions reading about eating disorders: "I became a binge reader," he explains, in case we missed the point—and we are left disbelieving that any young man capable of giving this explanation is capable of acting this way.

But these first-novel flaws are worth noticing in *Eve's Apple* only because Jonathan Rosen is a first novelist very much worth noticing—a new writer with real promise and a set of the sort of traditional literary talents we haven't seen much of for a generation or more. The cultural editor of the *Forward*, he has the intelligence, the learning, and the feeling it takes to do substantial work. There is a self-conscious reference late in the novel to Thomas Mann's *The Magic*

J. Bottum, a contributing editor, last wrote for THE WEEKLY STANDARD *about T.S. Eliot's early poetry.*

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Mountain, and the reference is not inappropriate: With its attempt to organize around an illness a social critique, a portrayal of the eternal woe between men and women, and a philosophical anthropology, *Eve's Apple* reads like the novel a contemporary Thomas Mann would produce if he tried to write the great novel of his maturity a little before he was quite ready.

As the story opens, Ruth and Joseph, two young lovers who met while undergraduates at Columbia, are living together in a New York apartment. The daughter of rich and successful parents, Ruth is studying to be a painter while Joseph has found a job teaching English to Russian immigrants in a low-budget language school.

Each is somewhat damaged. Ruth is an over-self-conscious, over-thin girl with a history of forays into nearly every known species of anorexia and bulimia and a library that consists of nothing but fairy tales and feminist tracts on eating disorders. Joseph is subject to massive migraines that began shortly after his sister committed suicide at the age of 16, leaving a note that made him feel responsible for not saving her. "I failed her," he explains to a psychiatrist who has befriended the couple; "I'm not going to fail Ruth." (At one point, he even calls Ruth by his sister's name.) After a disturbing scene in the first chapter—when he kisses Ruth coming out of the bathroom after a dinner with her mother and tastes the shreds of self-induced vomit still clinging to the corners of her mouth—Joseph begins his quest to save his beloved from her disease: prying into her diary, questioning her psychiatrist, and making his daily pilgrimages to the reading room at the New York Public Library.

But, as we are reminded a little too often, Ruth's illness is the kind that thrives as much on attention as it does on neglect. Since Joseph's own disorders drive him to a frenzied gallantry that exacerbates Ruth's morbid self-imaginings, the pair quickly become locked into an escalating and mutually sustaining madness. Interestingly, it is Ruth who manages to force her lover to some decisive action, with a pair of insane episodes: an aborted pregnancy and a six-week trip to Europe that leaves her weighing only 88 pounds.

Though in response to her pregnancy Joseph at first continues his destructive and unhelpful attitude of "deep caring," the knowledge that they have killed something (Rosen's Joseph cannot quite bring himself to call it a baby) gradually brings him awake. When he sees her condition upon her return from Europe—and learns, in a surprise twist, some disturbing news about her abortion—he at last takes Ruth to a sanitarium for psychiatric help.

Eve's Apple has some marvelous descriptive turns. "Their clothing, like their English, had an unmistakable accent," Joseph says of his Russian students. "The stilted fashions of an arrested culture gave them an antique look, like cars with tailfins." Though he eventually thwarts it and turns it back to his anorexic themes, Rosen's scene of seduction over Scrabble—Ruth and Joseph introducing raunchier and raunchier words into their play—is a near-classic set piece.

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that "many women hate themselves," however, the novel is more ambiguous: sometimes suggesting that eating disorders are delusions we can end simply by having stronger characters, and sometimes suggesting that they are cultural artifacts nothing less than the destruction of the West will cure. The exact number of women suffering from anorexia and bulimia is hard to determine, with statistics about mortality rates manipulated to advance various political agendas. But there is regardless something very present about eating disorders among young women in America, and Rosen has found a powerful lens through which to look at the current culture of sexual desire and psychiatric reductionism.

This author's promise may be measured by the fact that his prose and command of his material improve as *Eve's Apple* progresses, gradually working to understand and cure the typical first-novel flaws of over-explanation by an over-knowing narrator. For his next novel, Rosen needs to allow himself more room for humor—remembering that Mann presented the TB sanitarium in *The Magic Mountain* primarily as a stage for the human comedy, despite the fact that tuberculosis was at the time among the most common causes of death in Europe and America. So too he needs to take on the deeper problem of religion, recognizing that the critique he performs of "psychologized" American culture does not really allow him to resolve his love story, with Ruth's admittance to a psychiatric hospital, by recourse to the hackneyed 1950s stage character of the wise and caring psychoanalyst. But I cannot think of any other new novelist who has a better chance to write a great American novel. ♦

AN HONEST LIBERAL

Rebecca Blank Takes on Welfare Reform

By John J. Dilulio, Jr.

The welfare bill congressional Republicans forced President Clinton to sign last year did not, in fact, "end welfare as we know it." It ended the Aid to Families with Dependent Children program, which represented less than half of all cash assistance to welfare recipients, and not even a sixth of the value of programs like Medicaid, food stamps, and subsidized housing.

But while direct federal assistance is officially gone, federal welfare dollars continue to flow as block grants to the states, courtesy of the new Temporary Assistance to Needy Families program. Under its provisions, welfare families have two years to get work before they are forever cut off from aid. Whether the largely illiterate, low- or no-skills recipients who have been living off federal welfare money for a decade or more can be brought into self-sufficiency by the Temporary Assistance program remains highly uncertain. Short-term welfare rolls have already fallen sharply in some states, but those drops are largely the product of welfare-to-work efforts that predated the new program. We may never know whether the Temporary Assistance program works because many of its provisions—work rules, time limits—are already being waived and interpreted into insignificance in many states and counties.

Rebecca M. Blank
It Takes a Nation:
A New Agenda for Fighting Poverty
Princeton, 400 pp., $29.95

Contributing editor John J. DiIulio, Jr. directs the Partnership for Research on Religion and At-Risk Youth at Public/Private Ventures in Philadelphia.

In fact, almost no one is truly happy with the state of federal anti-poverty policy after the welfare-reform bill. Libertarians who had hoped that the 104th Congress would actually roll back low-income transfers while laying a glove or two on middle-class entitlement programs like Medicare got a rude political awakening when they saw just how big and amorphous the block grants were. Cultural conservatives failed to leave a lasting mark on the bill. Apart from a provision that props open the door to local faith-based organizations in administering welfare programs, the bill does nothing toward converting the welfare culture of poverty into a culture of faith and family. There are no sheltered-living requirements for unmarried child-bearing teenagers on public assistance, and no real crackdown on fathers who take the sex, take the money, abuse welfare-dependent women and children, and run.

And, of course, many liberals and other defenders of the status quo have been doing little but finger-pointing and blame-shifting since welfare reform became law. In a recent cover story in the *Atlantic Monthly*, Peter Edelman, late of the Clinton administration, called ending AFDC "the worst thing" that Clinton has yet done and expressed shock that his friend Bill had done so politically dirty, so socially devastating, and so morally dastardly a deed.

Enter Rebecca M. Blank, who has written an important book on poverty bound to displease some liberals while challenging both libertarian and cultural conservatives to rethink, if not abandon, their respective anti-poverty positions.

Blank, a self-described liberal, is a

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professor of economics at Northwestern University. She is also director of the Joint Center for Poverty Research run by her school and the University of Chicago. The poverty center was launched last year with a $7.5 million grant from the Department of Health and Human Services. But she is not HHS standard-issue. She served in the Bush administration as a staff economist at the Council of Economic Advisers, and she has often been the gadfly at liberal-dominated poverty conferences and academic symposia.

It Takes a Nation begins by showing that concerns about the problem of poverty in America are not merely radical-liberal bugaboos. In 1994, the official poverty line was $15,029 for a family with two parents and two children, and $11,980 for a family with one parent and two children. By this definition, a total of 38.1 million people—14.5 percent of the total U.S. population—lived in poverty in 1994. In 1995, the national poverty rate fell to 13.8 percent, but the drop was concentrated in a single region, the Midwest. In virtually every large county in the country, poverty among children has been on the rise.

Blank does an eye-opening job taking on a conventional conservative objection—that these poverty-line calculations are inflated by the failure to factor in all the other public assistance received by welfare recipients (Medicaid and more). Most welfare recipients simply do not receive the full range of government cash and in-kind assistance for which they are theoretically eligible. Indeed, only about two-thirds to three-quarters of those eligible for welfare actually make use of the program. Over half of all women who receive welfare receive it for three years or less over their lifetimes.

As several recent studies have plainly documented, the crazy-quilt administrative rules governing federal anti-poverty programs have turned the safety net into a safety maze in which many truly poor children don't get the food, money, medicine, and shelter they need and are eligible to receive.

Still, aren't the national poverty numbers inflated by counting full-time college students or business owners who report low or negative incomes for the year, making them officially "poor" even though they live well, have plenty of economic assets, or will enjoy above-average incomes in future years? No, argues Blank: Only 1 percent of the official poor have negative incomes or earnings, and only 6 percent are full-time students (some of whom, of course, are from poor families).

In sum, poverty in America is a hard social fact, as is its post-1990 growth among children in many big cities.

But what about the usual conservative ideas about the causes of poverty? In a 1994 article published in *Social Service Review*, New York University political scientist Lawrence Mead offered the best synthesis yet by a conservative scholar of what is known from empirical research about poverty in America:

> Nearly one-quarter of American families become poor at some time in a given decade. But most people who experience poverty also escape it quickly, usually by remarrying or returning to work. . . . Typically, families become poor long term (i.e., for more than 2 years at a stretch) when parents break up or never marry and when neither parent works consistently. The typical pattern is that fathers leave their families and do not pay child support and the mothers go on welfare.

Blank concedes that "the results of this research are quite consistent across studies: higher welfare payments discourage work." Likewise, she agrees that the "rising number of single mothers . . . is one reason that poverty rates have remained high" and that children "raised in single-parent families are at greater risk of cognitive and behavioral problems."

For the most part, however, Blank struggles to rebut conservative ideas about poverty, welfare, and related social ills. She makes a strong case against the conservative article of faith that the rise of out-of-wedlock births "was fueled by AFDC payments." Inflation-adjusted monthly public assistance payments "have declined over the past two decades, yet the out-of-wedlock birthrate has increased rapidly."

Most studies "indicate that AFDC payments are not related to women's fertility, or that the effect is relatively small," and "the relationship between benefit levels and fertility behavior is slightly stronger among low-income white women than among African-American women." In New Jersey and other states that have cut or capped welfare payments, there has been a decline in both AFDC and non-AFDC births. In short, "the large increases in out-of-wedlock births are very hard to match with trends in AFDC support levels."

When Blank addresses topics on which she herself has done less research, it shows. For example, she dismisses the "popular perception" that street crime is a real and growing problem, a misperception, she says, fed by watching "movies or TV shows that feature murder and threat as their primary plot device." In truth, youth crime and violence have soared, especially in inner-city neighborhoods. Americans now suffer at least 40 million crimes a year, an estimated quarter of them violent crimes, and a third of those violent crimes at the hands of offenders out on probation, parole, or pretrial release.

But Blank is back on thick empirical ice when she claims that, administrative warts, perverse incentives, and all, federal anti-poverty programs "have accomplished pretty much what they set out to accomplish." Today's "poor families" are "unambiguously better off than the poor of

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thirty years ago," and better off than they would be in the absence of Medicaid, food stamps, and other programs. She does not, however, pine for a rebirth of or a wholesale return to AFDC. Rather, in her concluding chapters, she sketches out "a reconfigured system of public assistance that moves us away from large-scale cash support toward a more work-focused system."

Specifically, in place of AFDC, Blank proposes a three-tiered "Family Assistance" plan for reducing poverty. Tier One consists of short-term assistance for poor people who need better connections to existing programs for which they are eligible. Tier Two consists of job-search and training assistance for less job-ready individuals. And Tier Three consists of cash support for the most socially and educationally dysfunctional poverty populations—adults who need close supervision, guidance, and training if they are ever to get off the dole, into work, and on to raising their children in a self-sufficient way. "Such a system," she argues, "would provide the states with substantial flexibility to run the programs they believe to be most useful, as well as placing the initial emphasis in the system on 'What do you need to get back on your feet?'"

To make this system work, Blank believes that "it takes a nation"—not as in more welfare mega-programs, but as in a smarter, less rule-bound federal bureaucracy; a less administratively hidebound cadre of state and local social-services agencies; and a more savvy corporate, philanthropic, and civic sector that sees such "a new agenda for fighting poverty" as an expression of its own enlightened economic and social interest. And while preserving high levels of government spending on anti-poverty programs and tax credits, the system she recommends would require most applicants for assistance to search for jobs "as a condition of monthly cash support" and would incorporate no-nonsense messages such as "that raising a child at age 16 is not smart."

Not surprisingly, Blank's book is drawing unfriendly fire from liberals who remain mired in the AFDC regime or seduced by hopes that a new political coalition will emerge to revive and expand the national entitlement state. For example, Harvard sociologist Theda Skocpol scolds Blank's book in the *Atlantic* under the headline "The Next Liberalism." Skocpol asserts that over "the past several decades liberal anti-poverty

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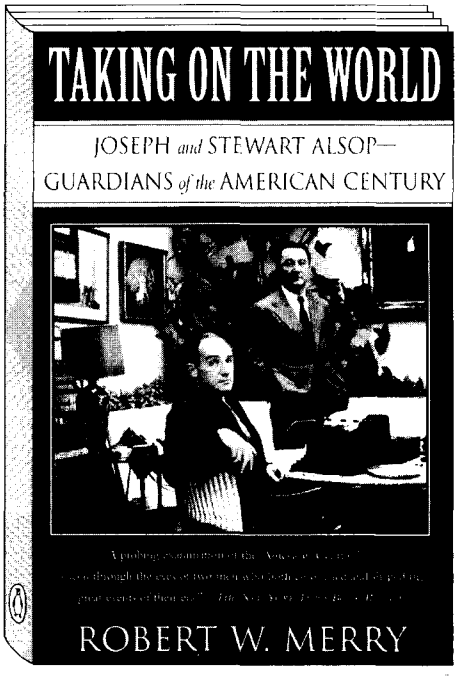

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warriors have suffered from a crimped sense of political realism." Blank, she charges, is guilty of "retailoring narrow policy prescriptions to the perceived mood of the moment in Washington, D.C." Indeed, she huffs, "Blank's three-tiered welfare reform scheme is pure pie in the sky at this point. . . . Compassionate policies toward the poor await the wider solidarity of a new politics of social and economic security."

The assertion that targeted, work-focused reforms are "pie in the sky" will come as news to the White House and Capitol Hill staff on both sides of the aisle who are now busily crafting a wide variety of Blankesque, post-AFDC welfare-to-work initiatives, including a possible expansion of the Bridges to Work Project that links low-income people in central cities to jobs in surrounding suburban areas by providing job placement, counseling, and transportation. And what is so "compassionate" about making poor kids wait for the next revolution before making sure they get their next meal?

Skocpol predicts that *It Takes a Nation* will "never achieve even a fraction of the political influence" achieved by Charles Murray's 1984 book *Losing Ground*. Probably so, but Blank has produced the most interesting and useful liberal book on anti-poverty policy since Murray's conservative classic. Even those who disagree strongly with Blank's analysis should agree that *It Takes a Nation* takes a prize for honest, meticulous, and morally alert scholarship. ♦

YOU'RE GOING TO DIE!

Advertisers Bring Back the Hardest Sell of All

By Christopher Caldwell

"THIS IS NOT A TV SHOW," says a woman's voice. "This could be you." On-screen you see ambulances, a girl waiting in a hospital corridor holding a doll, paramedics hurrying a gurney into the operating room. "What would happen to your family? . . ." *What would happen to my family if what?* you think. And then it dawns on you—someone's just had a coronary. A woman in a mask massages the patient's heart. Paddles and some kind of a blue pump are brought into play as well, to no avail. "Where would the money come from? For the mortgage? . . . For your kids' education? . . . To live on? . . ."

The doctors are taking off their masks. The patient is dead. They leave the room, the blue pump on top of the body. A woman doctor swings open the door to the waiting room to break the news, just as the little girl—whom we now know to be the daughter of the deceased—looks up from her coloring book. "Life insurance," the voiceover says. "It isn't for the people who die. It's for the people who live."

At the F Street offices of the Life and Health Insurance Foundation for Education (LIFE) in Washington, they call this TV commercial "the *ER* spot." A consortium of 94 insurance companies and 7 trade organizations, LIFE has reintroduced America to scare-all-hell-out-of-you insurance ads—which were, until the mid-1970s, the standard way of selling life insurance. ("They said father didn't keep his Life Insurance paid up!" says a child at the gates of an orphanage in a 1920s Prudential ad.) The fact that they're back tells us a good deal about the industry's health and the country's mind.

LIFE was launched as a tax-exempt foundation in 1995 with over $30 million from its member companies, and they're using it for a heavily focus-grouped media campaign designed by the New York communications firm Bozell Sawyer Miller. Aside from the TV commercials, the campaign includes print ads in *Newsweek*, *U.S. News*, *People*, *Sports Illustrated*, *Parents*, *National Geographic*, and *Better Homes & Gardens* with text like "It's 1999. You're Dead. What Do You Do Now?" There are also high school "modules," media workshops, a web site, and a "real-life stories" contest. (Don't even ask.)

The goal of the ads is to halt an industry-wide series of reverses. As the pool of likely insurance targets (parents between 25 and 54) has continued to grow with the aging of the baby boomers, life insurance has continued to wane in popularity. What's more, a robust stock market has created marketing problems. Life insurance has typically been a "blended product" combining inexpensive "term" insurance (which guarantees a payment in case of death) and a low-paying annuity for retirees. Insurance companies have always preferred to talk about the latter, says Bob Garfield of *Advertising Age*, and LIFE doesn't disprove the rule.

"These ads are being done by a consortium because none of the brands is willing to risk doing to its brand what bad-news advertising does to a brand," he says. "You *are* going to die, and they want you to know that, but if you're like the majority of people, you tend not to want to do business with people who remind you of it."

Unfortunately, with the proliferation of mutual funds in the 1980s, life insurance has come to be seen

Christopher Caldwell is senior writer at THE WEEKLY STANDARD.

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more widely than ever for the lousy investment it often is. "So now," says Garfield, "the companies are thrown back on selling insurance for exactly the reasons they don't want to talk about."

An advertising tactic that may have been viewed as forthright 50 years ago is today viewed as a tasteless scaring-for-scaring's sake, the equivalent of jumping out of the closet and saying "Boo!" "Death is just much less visible, much less a part of normal life than it used to be," says Mark Dolliver of *AdWeek*. "We're much less apt to have a brother who died at 18 or parents who keeled over in their 40s." David F. Woods, LIFE's president, disagrees. "Nobody's ever wanted to talk about death," he says. "But we have tested this approach and people are receptive. They say, 'If you talk to me that way, I'll pay attention.'"

A number of insurance-company focus groups suggest Woods is right and that the world Garfield, Dolliver, and others know—in which bad news doesn't sell—may be disappearing. There is a great vogue for frightening today. The LIFE spots may be fitting into a trend. On radio, ads for cardiac diagnostic centers ("I wish my father had been around for my graduation . . . but he didn't take care of himself") and bulimia treatment programs ("I'm fat!") similarly appeal to fear.

With the welfare state being replaced by the nanny state, there are plenty of government officials who make a living scaring the bejesus out of people and are constantly on the lookout for a pretext to do it. You might say that the Mediscare and enviro-scare campaigns of 1996 were a form of market-testing for the new LIFE campaign. "If I'm their agency," says David Young of Young & Larrimore ad agency in Indianapolis, "it does make sense to make people aware that we're all going to die." After all, he says, "it's the only legitimate thing *about* life insurance." ♦

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The Newseum, a museum devoted to journalists and journalism, opened in Arlington, Va., this month.

—News item

Parody

News Thieves Plunder Heritage of Journalism

By MICHAEL KIMMELMAN

ARLINGTON, Va., June 3 — The Newseum suffered a severe setback last night as a gang of highly trained journalism thieves broke through a skylight and stole several of the most valuable treasures in the museum's collection.

The thieves entered the blockbuster exhibition "Masterworks of the Late Twentieth Century," evaded the security measures, and removed dozens of columns and news analyses from their ornate gilded frames. "They were professionals. They knew exactly what they were looking for," said Alain de Neuharth, chief curator of the Newseum.

As a sign of their expertise, the thieves methodically selected several Kinsley columns on Republican hypocrisy. The ones they left behind had long been attributed to Kinsley until a computer search of the word pattern "Reaganite pandering" caused a Newseum archivist to reclassify them as "School of Kinsley." It is now thought that these reclassified works are Weisbergs.

This is the third burglary at the Newseum in as many months. In April, thieves stole the entire Bob Herbert collection. The Herberts sell for phenomenal prices in Mexico, where they are ground up into a powder and used as an anesthetic for operations. In May, a group of Mongolian tribesmen raided the Newseum in search of positive columns about Newt Gingrich. The entire Russell Baker collection is also missing, though curators doubt that anybody would have taken active measures actually to remove it.

Last night's perpetrators are being called the "False Choices Gang" because of their preference for columns that move beyond the false choices of left and right. They grabbed several works from E.J. Dionne's transitional Blue Period, while leaving an entire wall from his more liberal Pinko Phase intact. Among other works missing are three Broders recently discovered in the home of a swing voter in Macomb County, Mich. Also, though Mr. de Neuharth said that the museum's Gergen collection was "decimated," some extremely rare and valuable Loftons and Sobrans were left entirely untouched by the thieves. They lost

Continued on Page D9

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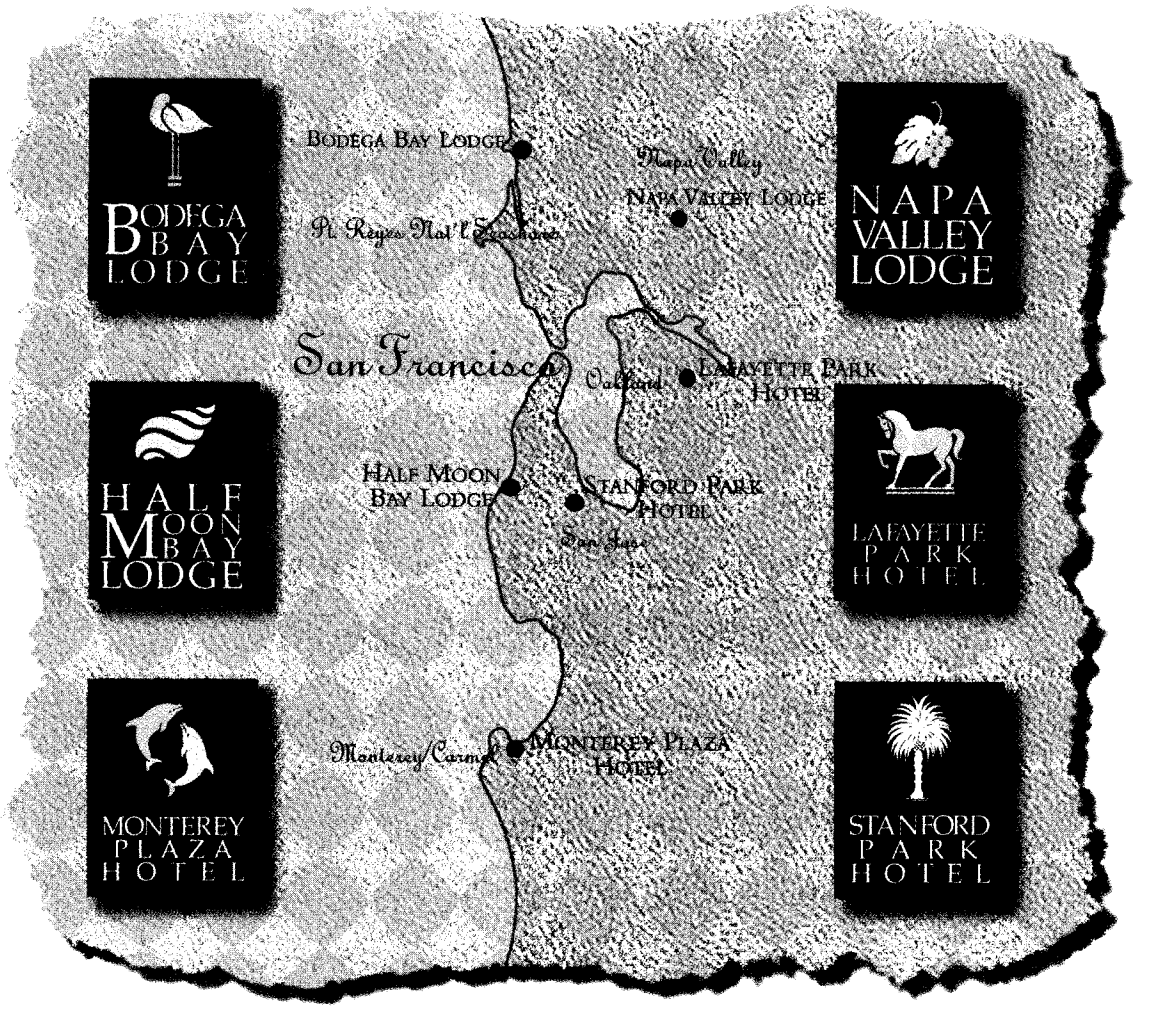

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